
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, APRIL 24, 2017.

[41]*

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Monday, April 24, 2017.

Met according to adjournment at ten o'clock A.M., with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Message from the Governor.

A message from His Excellency the Governor recommending legislation relative to financing the production and preservation of housing for low and moderate income residents (House, No. 3653), was filed this day in the office of the Clerk.

Low income
housing.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Housing. Sent to the Senate for concurrence.

Communication from the Clerk.

The following communication from the Clerk of the House, was placed on file to wit:—

April 24, 2017.

Honorable Robert A. DeLeo
Speaker of the House of Representatives
Room 356, State House
Boston, MA. 02133

Dear Mr. Speaker:

I have the honor to inform you that I have appointed Timothy Carroll of Winthrop as Assistant Clerk of the House, and Elizabeth M. Thompson of Clinton as Second Assistant Clerk of the House.

Assistant
Clerks.

Respectfully,
STEVEN T. JAMES, *Clerk.*

Millennial Caucus.

A communication from Representatives Fernandes of Falmouth, Chair; Goldstein-Rose of Amherst, Co-Chair; and Matias of Lawrence, Co-Chair announcing the formation of a Millennial Caucus in the House of Representatives,

Millennial
Caucus.

was received in the office of the Clerk; and placed on file.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Messrs. Barrows of Mansfield and Howitt of Seekonk) congratulating Lucas John Arruda on receiving the Eagle Award of the Boy Scouts of America;

Lucas
Arruda.

Resolutions (filed by Messrs. Barrows of Mansfield and Howitt of Seekonk) congratulating Antone Bodner on receiving the Eagle Award of the Boy Scouts of America;

Antone
Bodner.

Resolutions (filed by Messrs. Barrows of Mansfield and Howitt of Seekonk) congratulating Scott Kelly on receiving the Eagle Award of the Boy Scouts of America;

Scott
Kelly.

Resolutions (filed by Messrs. Barrows of Mansfield and Howitt of Seekonk) congratulating Ryan McFarland on receiving the Eagle Award of the Boy Scouts of America;

Ryan
McFarland.

Resolutions (filed by Messrs. Barrows of Mansfield and Howitt of Seekonk) congratulating Christopher R. Smith on receiving the Eagle Award of the Boy Scouts of America; and

Christopher
Smith.

Resolutions (filed by Mr. Lombardo of Billerica and other members of the House) recognizing May 1-7 Elks National Youth Week;

Elks National
Youth Week.

Mr. Galvin of Canton, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Barrows, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Recess.

At four minutes after ten o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at nine minutes before eleven o'clock A.M., the House was called to order with Mr. Tucker of Salem in the Chair.

Recess.

Order.

Mr. Donato of Medford being in the Chair,—

On motion of Mr. Galvin of Canton,—

“*Ordered*, That notwithstanding any rule to the contrary, a court officer shall be assigned to cast votes, except quorum roll calls, for the Chairman, Vice-Chairman and Assistant Vice-Chairman of the committee on Ways and Means whenever said members are conducting deliberations on amendment categories of the General Appropriation Bill, during consideration of said General Appropriation Bill.”.

Representatives
Dempsey,
Kulik and
Malia,—
voting.

Papers from the Senate.

Petitions severally were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 2053) of Bruce E. Tarr, Richard J. Ross, Donald F. Humason, Jr., Viriato M. deMacedo and other members of the General Court for legislation to ensure internet security and privacy. To the committee on Economic Development and Emerging Technologies.

Internet,—
security and
privacy.

Petition (accompanied by bill, Senate, No. 2052) of Bruce E. Tarr, Ryan C. Fattman, Richard J. Ross, Patrick M. O'Connor and other members of the General Court for legislation to fairly fund early voting. To committee on Election Laws.

Early
voting.

Reports of Committees.

By Mr. Straus of Mattapoisett, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2047, amended in section 2, in line 24, by striking out the word “reimbursement” and inserting in place thereof the word “grants”) of the House Bill providing for the financing of certain improvements to municipal roads and bridges (House, No. 2783, amended), recommending passage of a bill with the same title (House, No. 3648) [Bond Issue: \$290,000,000.00]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Municipal
roads and
bridges.

Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Straus of Mattapoisett, the report was considered forthwith.

On the question on acceptance of the report, the sense of the House was taken by yeas and nays, at the request of Mr. Jones of North Reading; and on the roll call 159 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 24 in Supplement.]

Therefore the report of the committee of conference was accepted. Sent to the Senate for concurrence.

Conference
committee
report
accepted,—
yea and nay
No. 24.

By Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions:

Petition (accompanied by bill) of David M. Nangle and others (with the approval of the mayor and city council) that the city of Lowell be authorized to use a certain parcel of land in the city of Lowell and the town of Tewksbury for the construction of a public high school and other school related purposes. To the committee on Municipalities and Regional Government.

Lowell and
Tewksbury,—
land.

Petition (accompanied by bill) of Angelo J. Puppolo, Jr., for legislation to establish a sick leave bank for Elizabeth C. Cox, an employee of the Department of Public Health. To the committee on Public Service.

Elizabeth Cox,—
sick leave.

Under suspension of the rules, on motion of Mr. Mariano of Quincy, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

By Ms. Benson of Lunenburg, for the committee on Consumer Protection and Professional Licensure, asking to be discharged from further consideration of the

Dental
practitioners.

petition (accompanied by bill, House, No. 2820) of Peter V. Kocot and others relative to the certification of public health dental practitioners,—and recommending that the same be referred to the committee on Public Health.

By Miss Gregoire of Marlborough, for the committee on Elder Affairs, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2074) of Kate Hogan and others relative to the disposal of resources for determining eligibility for Medicaid,— and recommending that the same be referred to the committee on Health Care Financing.

Medicaid,—
eligibility.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence.

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Elizabeth C. Cox, an employee of the Department of Public Health (House, No. 3645).

Elizabeth Cox,—
sick leave.

By the same member, for the same committee, on a joint petition, a Bill to establish a sick leave bank for Donald Stuart, an employee of the Department of Correction (House, No. 3647).

Donald Stuart,—
sick leave.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Orders of the Day.

The House Bill making appropriations for the fiscal year 2018 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 3600) [Total appropriation: \$40,327,891,863.00], was read a second time.

General
Appropriation
Bill.

After remarks on the question on ordering the bill to a third reading, Mr. Scaccia of Boston moved to amend it by adding the following four sections:

“SECTION 81. Section 6 of chapter 62 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out, in lines 584-585, the words ‘, any costs related to the transfer of tax credits’.

SECTION 82. Said section 6 of said chapter 62, as so appearing, is hereby further amended by striking out paragraph (5) of subsection (1).

SECTION 83. Section 38X of chapter 63, as so appearing, is hereby amended by striking out, in lines 40-41, the words ‘, any costs related to the transfer of tax credits’.

SECTION 84. Said section 38X of said chapter 63, as so appearing, is hereby further amended by striking out subsection (e).”.

After remarks the amendment was rejected.

The same member then moved to amend the bill by adding the following section:

“SECTION 81. Section 2 of chapter 62 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out, in line 42, the word ‘Income’ and inserting in place thereof the following words:— The first \$100,000 of income.”.

After remarks the amendment was rejected.

Mr. Scaccia then moved to amend the bill by adding the following section:

“SECTION 81. Section 4 of chapter 62 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out subsection (b) and

inserting in place thereof the following subsection:—

(b) Part B taxable income shall be taxed at the rate of 5.5 per cent for tax years beginning on or after January 1, 2017.”.

After remarks the amendment was rejected.

After debate on the question on ordering the bill to a third reading, Ms. Atkins of Concord moved to amend it by adding the following three sections:

“SECTION 81. The definition of ‘Tangible personal property’ in section 1 of chapter 64H of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by adding the following sentence:— The commissioner may, by regulation, provide rules for considering the transfer of an interest in an aircraft a transfer of tangible personal property.

SECTION 82. Section 6 of said chapter 64H, as appearing in the 2014 Official Edition, is hereby amended by striking out paragraphs (uu) and (vv).

SECTION 83. Section 7 of chapter 64I of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out paragraphs (d) and (e).”.

After remarks the amendment was rejected.

Mr. Lyons of Andover and other members of the House then moved to amend the bill by adding the following section:

“SECTION 81. Notwithstanding any general or special law or rule or regulation to the contrary, Ballot Question 4 of 2000 to reduce the Part B income tax rate to a maximum tax rate of 5.0% which was adopted by a 59.4% vote of the people and codified in chapter 343 of the Acts of 2000, shall be fully implemented upon the effective date of the Marijuana Tax and Regulation Ballot Question 4 of 2016 which was adopted by only a 53.7% vote of the people and codified in chapter 334 of the Acts of 2016.”.

Pending the question on adoption of the amendment, Mr. Lyons asked for a count to ascertain if a quorum was present. The Chair (Mr. Donato of Medford), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 152 members were recorded as being in attendance.

Quorum.

Quorum,—
yea and nay
No. 25.

[See Yea and Nay No. 25 in Supplement.]

Therefore a quorum was present.

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Lyons; and on the roll call 36 members voted in the affirmative and 123 in the negative.

Amendment
rejected,—
yea and nay
No. 26.

[See Yea and Nay No. 26 in Supplement.]

Therefore the amendment was rejected.

Mrs. O’Connell of Taunton and other members of the House then moved to amend the bill by adding the following section:

“SECTION 81. (a) Notwithstanding any general or special law to the contrary, for the consecutive third Saturday and third Sunday in August each year, an excise shall not be imposed upon nonbusiness sales at retail of tangible personal property, as defined in section 1 of chapter 64H of the General Laws. For the purposes of this act, tangible personal property shall not include telecommunications, tobacco products subject to the excise imposed by chapter 64C of the General Laws, gas, steam, electricity, motor vehicles, motorboats, or a single item the price of which is in excess of \$2,500.

(b) Notwithstanding any general or special law to the contrary, for the

consecutive third Saturday and third Sunday of August, a vendor shall not add to the sales price or collect from a nonbusiness purchaser an excise upon sales at retail of tangible personal property, as defined in section 1 of chapter 64H of the General Laws. The commissioner of revenue shall not require a vendor to collect and pay excise upon sales at retail of tangible personal property purchased on the consecutive third Saturday and third Sunday of August. An excise erroneously or improperly collected during the consecutive third Saturday and third Sunday of August, shall be remitted to the department of revenue. This section shall not apply to the sale of telecommunications, tobacco products subject to the excise imposed by chapter 64C of the General Laws, gas, steam, electricity, motor vehicles, motorboats, or a single item the price of which is in excess of \$2,500.

(c) Reporting requirements imposed upon vendors of tangible personal property, by law or by regulation, including, but not limited to, the requirements for filing returns required by chapter 62C of the General Laws, shall remain in effect for sales for the days of the consecutive third Saturday and third Sunday of August.

(d) The commissioner of revenue shall issue instructions or forms or promulgate rules or regulations, necessary for the implementation of this act.

(e) Eligible sales at retail of tangible personal property under sections 175 and 176 of chapter 64H are restricted to those transactions occurring on the consecutive third Saturday and third Sunday of August. Transfer of possession of or payment in full for the property shall occur on one of those days, and prior sales or layaway sales shall be ineligible.

(f) This act shall take effect beginning August 19, 2017.”

Pending the question on adoption of the amendment, Mr. Kulik of Worthington moved to amend it by adding the following section:

“SECTION 82. Notwithstanding any general or special law to the contrary, the provisions of section 81 shall not take effect until such time as the executive office for administration and finance, in conjunction with the department of revenue, has furnished a study of the legislation’s impact on the economy of the commonwealth and its municipalities, including, but not limited to, a distributional analysis of the impact to taxpayers of varying income levels, the current practice of other states, anticipated changes in employment levels and other ancillary economic activity to the joint committee on revenue, and until legislation has been filed and enacted pursuant to Part 2, Chap. 1, Sec. 1, Art. II of the Constitution.”

After debate on the question on adoption of the further amendment, the sense of the House was taken by yeas and nays, at the request of Mrs. O’Connell; and on the roll call 119 members voted in the affirmative and 38 in the negative.

[See Yea and Nay No. 27 in Supplement.]

Therefore the further amendment was adopted.

The amendment offered by Mrs. O’Connell, et al, as amended, then also was adopted.

Pending the question on ordering the bill, as amended, to a third reading, Mr. Diehl of Whitman and other members of the House then moved to amend it by adding the following section:

“SECTION 83. (a) Notwithstanding any general or special law to the contrary, for the days of March 22-27, inclusive, of each calendar year the tax imposed upon meals pursuant to chapter 64H of the General Laws, as most recently amended by section 157 of chapter 27 of the Acts of 2009, shall be suspended.

(b) Notwithstanding any general or special law to the contrary, for the days of March 22-27, 2015, inclusive, a restaurant in the commonwealth shall not add to the sales price or collect from a customer an excise upon sales of meals. The

Further
amendment
adopted,—
yea and nay
No. 27.

commissioner of revenue shall not require any restaurant to collect and pay excise upon sales of meals purchased on March 22-27, inclusive, of each calendar year. An excise erroneously or improperly collected during the days of March 22-27, inclusive, of each calendar year, shall be remitted to the department of revenue. Any city or town which imposes a local option meals tax may still collect that tax during these dates.

(c) Reporting requirements imposed upon restaurants by law or regulation, including, but not limited to, the requirements for filing returns required by chapter 62C of the General Laws, shall remain in effect for sales on the days of March 22-27, inclusive, of each calendar year.

(d) On or before December 31, of each year, the commissioner of revenue shall certify to the comptroller the amount of sales tax forgone, as well as new revenue raised from person and corporate income taxes and other sources, pursuant to this Act. The commissioner shall file a report with the joint committee on revenue and the house and senate committees on ways and means detailing by fund the amounts under general and special laws governing the distribution of revenues under Chapter 64H of the General Laws which would have been deposited in each fund, without this act.

(e) The commissioner of revenue shall issue instructions or forms, or promulgate rules or regulations, necessary for the implementation of this act.

(f) No part of this act shall affect the provisions of chapter 64L of the General Laws, as most recently added by section 60 of chapter 27 of the acts of 2009.”

Pending the question on adoption of the amendment, Mr. Kulik of Worthington moved to amend it by adding the following section:

“SECTION 84. Notwithstanding any special or general law to the contrary, the provisions of section 83 shall not take effect until such time as the executive office for administration and finance, in conjunction with the department of revenue and the Massachusetts Department of Transportation, has furnished a study of the legislation’s impact on the transportation systems and infrastructure and revenue cost to the commonwealth and its municipalities and political subdivisions, including, but not limited to, a distributional analysis showing the impact on taxpayers of varying income levels, the current practice of other states and any anticipated change in employment and ancillary economic activity to the joint committees on revenue and transportation, and until legislation has been filed and passed pursuant to Part 2, Chap. 1, Sec. 1, Art. II of the Constitution.”.

After debate on the question on adoption of the further amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Diehl; and on the roll call 117 members voted in the affirmative and 39 in the negative.

[See Yea and Nay No. 28 in Supplement.]

Therefore the further amendment was adopted.

The amendment offered by Mr. Diehl, et al, as amended, then also was adopted.

Subsequently a statement of Mr. Walsh of Framingham was spread upon the records of the House as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that on the previous roll call I was absent from the House Chamber on official business in another part of the State House. Had I been present I would have voted in the affirmative.

Mr. Diehl of Whitman and other members of the House then moved to amend the bill by adding the following two sections:

“SECTION 85. Section 2 of Chapter 64H of the General Laws, as appearing in

Further
amendment
adopted,—
yea and nay
No. 28.

Statement of
Mr. Walsh
of Framingham.

the 2008 Official Edition, is hereby amended by striking ‘6.25 per cent’ and replacing it with ‘5 per cent’.

SECTION 86. Section 2 of Chapter 64I of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking ‘6.25 per cent’ and replacing it with ‘5 per cent’.”.

Pending the question on adoption of the amendment, Mr. Kulik of Worthington moved to amend it by adding the following section:

“SECTION 87. Notwithstanding any general or special law to the contrary, the provisions of section 85 and section 86 shall not take effect until such time as the executive office for administration and finance, in conjunction with the department of revenue, has furnished a study of the legislation’s impact on the economy of the commonwealth and its municipalities, including, but not limited to, a distributional analysis of the impact to taxpayers of varying income levels, the current practice of other states, anticipated changes in employment levels and other ancillary economic activity to the joint committee on revenue, and until legislation has been filed and enacted pursuant to Part 2, Chap. 1, Sec. 1, Art. II of the Constitution.”.

On the question on adoption of the further amendment, Mr. Diehl asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Donato of Medford), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 151 members were recorded as being in attendance.

[See Yea and Nay No. 29 in Supplement.]

Therefore a quorum was present.

After debate on the question on adoption of the further amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Diehl of Whitman; and on the roll call 118 members voted in the affirmative and 39 in the negative.

[See Yea and Nay No. 30 in Supplement.]

Therefore the further amendment was adopted.

The amendment offered by Mr. Diehl, et al, as amended, then also was adopted.

Subsequently a statement of Mr. Walsh of Framingham was spread upon the records of the House as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that on the previous roll call I was absent from the House Chamber on official business in another part of the State House. Had I been present I would have voted in the affirmative.

Mr. Lombardo of Billerica and other members of the House then moved to amend the bill by adding the following section:

“SECTION 88. Section 12 of chapter 64A of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by adding at the end thereof the following paragraph:—

Any sale of fuel, including but not limited to unleaded gasoline and diesel fuel, by a distributor to the commonwealth, any state agency or any municipality or its agencies shall be exempt from the tax per gallon contained in this chapter.”.

Pending the question on adoption of the amendment, Mr. Kulik of Worthington moved to amend it by adding the following section:

“SECTION 89. Notwithstanding any special or general law to the contrary, the provisions of section 88 shall not take effect until such time as the executive office

Quorum,—
yea and nay
No. 29.

Further
amendment
adopted,—
yea and nay
No. 30.

Statement of
Mr. Walsh
of Framingham.

for administration and finance, in conjunction with the department of revenue and the Massachusetts Department of Transportation, has furnished a study of the legislation's impact on the transportation systems and infrastructure and revenue cost to the commonwealth and its municipalities and political subdivisions, including, but not limited to, a distributional analysis showing the impact on taxpayers of varying income levels, the current practice of other states and any anticipated change in employment and ancillary economic activity to the joint committees on revenue and transportation, and until legislation has been filed and passed pursuant to Part 2, Chap. 1, Sec. 1, Art. II of the Constitution.”.

The further amendment was adopted.

The amendment offered by Mr. Lombardo, et al, as amended, then also was adopted.

Messrs. Lyons of Andover and Lombardo of Billerica then moved to amend the bill by adding the following two sections:

“SECTION 90. Paragraph (5) of subsection (b) of part B of section 3 of chapter 62 of the 2016 Official Edition of the General Laws is hereby amended by striking paragraph (5) in its entirety and inserting in place thereof the following:—

(5) An amount equal to the total expenses paid by the taxpayer within the taxable year to adopt children. Expenses shall consist of fees paid to any agency licensed to place children for adoption, attorneys fees, court fees, and medical expenses, including copayments for medical services, incurred in the adoption process of a minor child.

SECTION 91. Section 6 of said chapter 62 is hereby amended by adding the following subsection:—

(u) An refundable adoption tax credit of \$1,000 per adopted child in a calendar year shall allowed to one adoptive parent against any taxes due pursuant to this chapter.”.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Lyons; and on the roll call 47 members voted in the affirmative and 110 in the negative.

[See Yea and Nay No. 31 in Supplement.]

[Mr. Lewis of Framingham answered “Present” in response to his name.]

Therefore the amendment was rejected.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by adding the following eleven sections:

“SECTION 90. Section 38AA of chapter 63 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out, in line 88, the figure ‘\$2,000,000’ and inserting in place thereof the following figure:— \$3,000,000.

SECTION 91. Section 38AA of chapter 63 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out, in line 88, the figure ‘\$2,000,000’ and inserting in place thereof the following figure:— \$4,000,000.

SECTION 92. Section 38AA of chapter 63 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out, in line 88, the figure ‘\$2,000,000’ and inserting in place thereof the following figure:— \$5,000,000.

SECTION 93. Section 6 of chapter 62 of the General Laws, as so appearing, is hereby amended by adding, in line 817, after the words ‘as amended’ the following words:— , or a nonprofit trust in realty organized for the purposes of land conservation established pursuant to chapter 203.

SECTION 94. Said section 6 of chapter 62 of the General Laws, as so appearing, is hereby amended by striking out, in line 883, the figure ‘\$2,000,000’ and inserting in place thereof the following figure:— \$3,000,000.

Amendment
rejected,—
yea and nay
No. 31.

SECTION 95. Said section 6 of chapter 62 of the General Laws, as so appearing, is hereby amended by striking out, in line 883, the figure ‘\$2,000,000’ and inserting in place thereof the following figure:— \$4,000,000.

SECTION 96. Said section 6 of chapter 62 of the General Laws, as so appearing, is hereby amended by striking out, in line 883, the figure ‘\$2,000,000’ and inserting in place thereof the following figure:— \$5,000,000.

SECTION 97. Sections 90 and 94 shall take effect on January 1, 2018.

SECTION 98. Sections 91 and 95 shall take effect on January 1, 2019.

SECTION 99. Sections 92 and 96 shall take effect on January 1, 2020.

SECTION 100. Sections 90 to 99 shall expire on December 31, 2025.”.

The amendment was adopted; and the bill (House, No. 3600, amended) was ordered to a third reading.

Order.

An Order (filed by Speaker DeLeo of Winthrop and other members of the House) relative to establishing a joint special committee to make an investigation and study relative to establishing a suitable memorial to Reverend Dr. Martin Luther King, Jr. (House, No. 3652), was referred, under Rule 24, to the committee on Rules.

Mr. Galvin of Canton, for said committee, then reported that the order ought to be adopted.

Under suspension of the rules, on motion of Mr. Kulik of Worthington, the order was considered forthwith.

On the question on adoption of the order, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 158 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 32 in Supplement.]

Therefore the order (House, No. 3652) was adopted. Sent to the Senate for concurrence.

Reverend Dr.
Martin Luther
King, Jr.,—
committee.

Order
adopted,—
yea and nay
No. 32.

Emergency Measures.

The engrossed Bill providing for the financing of certain improvements to municipal roads and bridges (see House, No. 3648), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 29 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a “loan” bill as defined by Section 3 of Article LXII of the Amendments to the Constitution); and on the roll call 159 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 33 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting

Municipal
roads and
bridges.

Bill enacted
(state loan),—
yea and nay
No. 33.

Speaker and sent to the Senate.

The engrossed Bill establishing a sick leave bank for Marie Visco, an employee of the Department of Public Health (see House, No. 3450, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Marie Visco,—
sick leave.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 20 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Orders of the Day.

The House Bill making appropriations for the fiscal year 2018 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 3600, amended) (having been reported by the committee on Bills in the Third Reading to be correctly drawn), was read a third time, under suspension of the rules, on motion of Mr. Dempsey of Haverhill.

General
Appropriation
Bill.

At three minutes before six o'clock P.M., on motion of Mrs. Haddad of Somerset (Mr. Donato of Medford being in the Chair), the House recessed until half past seven o'clock P.M.; and at eighteen minutes before eight o'clock P.M., the House was called to order with Mrs. Haddad in the Chair.

Recess.

Mr. Dempsey of Haverhill and other members of the House then moved to amend the bill in section 2

Consolidated
amendments
(constitutional
officers, state
administration and
transportation).

In item 0540-1900 by striking out the figures: "1,806,109" and inserting in place thereof the figures: "1,906,109";

In item 0540-0900 by adding the following: " provided, the Northern Essex Registry of Deeds may pursue a pilot program with the Essex County Sheriff's Office for the purposes of sharing leased office space";

In item 0610-0050 by striking out the figures: "2,388,091" and inserting in place thereof the figures: "2,488,091";

In item 0810-0000 [A] by striking out the figures: "23,553,651" and inserting in place thereof the figures: "23,803,651";

In item 0810-1205 by striking out the figures: "1,250,000" and inserting in place thereof the figures: "1,500,000";

In item 0950-0000 by striking out the figures: "117,109" and inserting in place thereof the figures: "145,000";

In item 0910-0200 by striking out the figures: "2,578,525" and inserting in place thereof the figures: "2,598,525";

In item 0920-0300 by striking out the figures: "1,627,058" and inserting in place thereof the figures: "1,647,058";

In item 1232-0100 by striking out the figures: "6,000,000" and inserting in place thereof the figures: "7,000,000";

In item 1599-0093 by striking out the words "for debt service obligations of the trust under" and inserting in place thereof the following: " , including, but not limited to, debt service obligations of the trust, principal forgiveness, interest rate

reduction, and other subsidies or financial assistance pursuant to”;

In section 2E, in item 1595-6368, by adding the following: “; provided further, that not less than \$25,000 shall be expended for the intersection of Front Street, Central Street and Spring Street in Winchendon; provided further, that not less than \$50,000 shall be expended for transportation to Camp Harbor View on Long Island in Boston Harbor; provided further, that not less than \$75,000 shall be expended for the Hudson Commuter Shuttle; provided further, that not less than \$35,000 for traffic improvements in Scituate; provided further, that not less than \$28,550 shall be expended for traffic improvements in Wellesley; provided further, that not less than \$22,000 shall be expended for Bay Path in Wellesley; provided further, that not less than \$75,000 shall be expended for senior transportation in Maynard and Acton; and provided further, that not less than \$150,000 shall be expended for traffic improvements in Newton”; and in said item by striking out the figures: “324,311,545” and inserting in place thereof the figures: “324,772,095”;

In item 1595-6370 by striking out the figures: “80,000,000” and inserting in place thereof the figures: “81,000,000”;

By inserting after section 34 the following two sections:

“SECTION 34A. Section 8D of chapter 90 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting after the word ‘chapter’, in line 3, the following words:— who has not previously made an anatomical gift through the donor registry under paragraph (1) of subsection (a) of section 5 of chapter 113A.

SECTION 34B. The third paragraph of said section 8D of said chapter 90, as so appearing, is hereby amended by inserting, after the words ‘chapter 10’, in line 20, the following words:— provided, that the registrar may include such an option on other forms issued by the registrar, including but not limited to electronic monetary transaction, license identification, permit renewals and duplicates, non-commercial registration renewals, and duplicate title forms.”.

Pending the question on adoption of the amendments, Mr. Jones of North Reading moved to amend it by inserting after the following: “0810-0000” [at “A”] the following: “by adding the following:— provided that no additional funding over the Fiscal Year 2017 appropriation shall be made available until an appropriate response is provided to the 57 and 82 legislators whose correspondence was dated July 23, 2016 and July 28, 2016 respectively, and further”.

After remarks on the question on adoption of the further amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Jones; and on the roll call 35 members voted in the affirmative and 123 in the negative.

[See Yea and Nay No. 34 in Supplement.]

Therefore the further amendment was rejected.

After debate on the question on adoption the amendments, the sense of the House was taken by yeas and nays, as required under the provisions of House Rule 33F; and on the roll call 130 members voted in the affirmative and 28 in the negative.

[See Yea and Nay No. 35 in Supplement.]

Therefore the consolidated amendments (constitutional officers, state administration and transportation) were adopted.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by adding the following section:

“SECTION 101. There shall be an educational mandate task force to review existing state mandates placed on public schools and districts in the Commonwealth. The task force shall consist of 11 members: the house and senate

Further amendment rejected,— yeas and nays No. 34.

Consolidated amendments adopted,— yeas and nays No. 35.

chairs of the joint committee on education, or their designees, who shall serve as the co-chairs of the task force; a member of the general court appointed by the senate minority leader; a member of the general court appointed by the house minority leader; the commissioner of elementary and secondary education, or a designee; and 6 persons to be appointed by the secretary of education, 1 of whom shall be selected from a list of 3 persons nominated by the Massachusetts Association of School Superintendents, 1 of whom shall be selected from a list of 3 persons nominated by the Massachusetts Association of School Committees, 1 of whom shall be selected from a list of 3 persons nominated by the Massachusetts Association of School Business Officials, 1 of whom shall be selected from a list of 3 persons nominated by the Massachusetts Secondary School Administrators' Association, 1 of whom shall be selected from a list of 3 persons nominated by the Massachusetts Elementary School Principals' Association, and 1 of whom shall be selected from a list of 3 persons nominated by the Massachusetts Administrators of Special Education.

The task force shall: (i) identify and review the state laws, regulations, and administrative directives that prescribe requirements for school districts, including those that require school districts to prepare and submit reports and data to the department of elementary and secondary education (ii) develop recommendations to streamline, consolidate, or eliminate such mandates or reporting requirements that are not fully funded and (iii) determine the total estimated cost of said unfunded mandates on municipalities to consider those figures in the annual fiscal year budget.

The first meeting of the task force shall take place within 60 days of the effective date of this act. The task force shall file a report containing its findings and recommendations, including legislative recommendations, if any, with the clerks of the house and senate not later than 12 months following the first meeting of the task force. Prior to issuing its recommendations, the task force shall conduct at least one public hearing to receive testimony from members of the public.”.

The amendment was adopted.

Mrs. O'Connell of Taunton and other members of the House then moved to amend the bill by adding the following section:

“SECTION 102. There shall be established a commission for the purpose of investigating and studying college affordability. The commission shall examine and make recommendations on the contributing factors to rising college costs at private colleges and universities, University of Massachusetts, state colleges, and community colleges. The commission may hold public hearings.

The commission shall review and investigate the following areas: employee expenditures; employee issued credit cards and expense accounts; vacation and sick time policies for management; salaries, bonuses, and stipends for management and professors; professor class load; the number of management positions at each university and college and their descriptions; the cost and benefit of construction projects on campuses; endowments and annual profits; mandatory fees charged to students beyond the price of tuition charges, including technology and laboratory fees; the affordability of college textbooks, including consideration of the costs and benefits of open source textbooks; and other areas the commission deems appropriate to review and study.

The commission shall consist of the following members: five persons appointed by the governor, one of whom shall serve as the chair, one of whom shall have expertise in finance and investment, three of whom shall be parents or guardians of current college students; one member of the senate to be appointed by

the senate president; one member of the senate to be appointed by the senate minority leader; one member of the house to be appointed by the speaker; one member of the house to be appointed by the minority leader; a representative of the University of Massachusetts office of the president; a representative of the University of Massachusetts director of libraries; two members of the Student Advisory Council; a representative from the Massachusetts Office of Financial Assistance; a representative from the office of the Commissioner of Higher Education; a member of the Board of Higher Education; a representative of the Massachusetts State College Association; a representative of the Massachusetts Community Colleges Executive Office; a representative of Pioneer Institute; a member of the Massachusetts Society of Certified Public Accountants; and a member of the Association of Independent Colleges and Universities in Massachusetts.

The commission shall convene within four weeks after the date of enactment. The commission shall file a report of its findings and recommendations with the clerk of the house and senate by March 1, 2018.”.

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mrs. O’Connell; and on the roll call 38 members voted in the affirmative and 120 in the negative.

[See Yea and Nay No. 36 in Supplement.]

Therefore the amendment was rejected.

Mr. Diehl of Whitman then moved to amend the bill by adding the following section:

“SECTION 102. The Special Education Advisory Council shall be tasked with drafting regulations on the training and licensing of Special Education Advisors to be referred to the Department of Elementary and Secondary Education.”.

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Diehl; and on the roll call 27 members voted in the affirmative and 131 in the negative.

[See Yea and Nay No. 37 in Supplement.]

Therefore the amendment was rejected.

Messrs. Lyons of Andover and Lombardo of Billerica then moved to amend the bill in section 2, in item 1233-2350, by striking out the figures: “1,061,783,475” and inserting in place thereof the figures: “2,234,211,062.46”; and in item 7061-0008 by striking out the figures: “4,734,405,553” and inserting in place thereof the figures: “6,358,908,409”.

After remarks on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Mr. Lyons; and on the roll call 13 members voted in the affirmative and 144 in the negative.

[See Yea and Nay No. 38 in Supplement.]

Therefore the amendments were rejected.

Mr. Dempsey of Haverhill and other members of the House then moved to amend the bill in section 2

By inserting after item 1599-7104 the following two items:

- “1599-7114 For a reserve for the costs associated with the UMass Center at Springfield.....\$250,000
- 1599-7115 For a reserve to provide one western Massachusetts regional academic health system a one-time payment of \$1,000,000 to host a distinct educational track for a Massachusetts medical school focused on rural and urban primary care, population health and integrated health

Amendment
rejected,—
yea and nay
No. 36.

Amendment
rejected,—
yea and nay
No. 37.

Amendments
rejected,—
yea and nay
No. 38.

Consolidated
amendments
(education and
local aid).

delivery.....\$1,000,000”;

In item 3000-1000, in line 29, by inserting after the word “basis” the following: “; and provided further, that not less than \$50,000 shall be expended to preserve early education programs in Pittsfield”; and in said item by striking out the figures: “5,686,618” and inserting in place thereof the figures: “5,736,618”;

In item 3000-1042 by striking out the figures: “15,000,000” and inserting in place thereof the figures: “20,000,000”;

In item 3000-7050, in line 12, by inserting after the words “centers” the following: “; provided further, that not less than \$100,00 [sic] more than fiscal year 2017 shall be expended on said parent-child home program”; and in said item by striking out the figures: “13,441,999” and inserting in place thereof the figures: “13,541,999”;

In item 3000-7070 by striking out the figures: “700,000” and inserting in place thereof the figures: “1,000,000”;

In item 7000-9401, in line 16, by striking out the figures: “40.7” and inserting in place thereof the figures: “43.9”; and in said item by striking out the figures: “9,982,317” and inserting in place thereof the figures: “10,182,317”;

In item 7000-9402 by adding the following: “; provided, that not less than \$50,000 shall be expended for the Worcester mobile library”; and in said item by striking out the figures: “446,131” and inserting in place thereof the figures: “496,131”;

In item 7000-9406 by striking out the figures: “2,512,772” and inserting in place thereof the figures: “2,562,528”;

In item 7000-9506 by striking out the figures: “2,097,330” and inserting in place thereof the figures: “2,197,330”;

By inserting after item 7000-9506 the following item:

“7000-9508 For the Massachusetts Center for the Book, Inc., chartered as the Commonwealth Affiliate of the Center for the Book in the Library of Congress; provided, that the Massachusetts Center for the Book, Inc. shall continue its work as a public-private partnership...\$200,000”;

In item 7010-0005 by adding the following: “; provided further, that not less than \$50,000 shall be expended for technology upgrades in the Pembroke Public Schools; provided further, that not less than \$150,000 shall be expended for mitigation costs in the Millis public school district; provided further that not less than \$45,000 shall be expended for the costs associated with technology upgrades for the Dracut Public School District; provided further, that not less than \$50,000 be expended to the Hispanic American Library Inc. of Springfield; provided further, that not less than \$25,000 shall be expended for the Clarksburg Elementary School; provided further, that not less than \$50,000 shall be expended for classroom safety and security upgrades at the Woodland, Powder Mill and High Schools in the Town of Southwick; provided further, that not less than \$125,000 shall be expended for STEM programming at Madison Park High School in Boston; provided further, that not less than \$50,000 shall be expended for the purposes of a pilot project to connect organic gardening, outdoor exercise, healthy food, food preparation and elementary school aged children in the greater Northampton area, operated by Grow Food Northampton; provided further, that not less than \$25,000 shall be expended for the operation of Camp Pohelo in the town of Tewksbury; provided further, that not less than \$200,000 shall be expended for emergency repairs by the school department in the town of Tewksbury to the North Street elementary school; provided further, that not less than \$100,000 shall be expended for grants to the Adams-Cheshire regional school district for the purpose of offsetting increased

costs; provided further, that not less than \$100,000 shall be expended for costs associated with technological upgrades for the Westford public school district; provided further, that not less than \$15,000 shall be expended for Rockland public schools district for teacher training to develop and support an English language learner program; provided further, that not less than \$15,000 shall be expended for Rockland public schools district for teacher training to develop and support Special Education programs; provided further, that not less than \$100,000 shall be expended for the Greater Lawrence Technical School in Andover; provided further, that not less than \$20,000 shall be expended for computer carts at the Amesbury Public Schools in the City of Amesbury; provided further, that not less than \$200,000 shall be expended for the implementation of an educational program coordinated by the JFK Library Foundation, that focuses on underserved communities across the Commonwealth; provided further, that not less than \$60,000 shall be expended on Methuen High School for mental health counseling services; provided further, that not less than \$250,000 shall be expended for the Brockton public school district; provided further, that not less than \$20,000 shall be expended for safety upgrades for Hingham public schools; provided further, that not less than \$20,000 shall be expended for a school resource officer at Cohasset public schools; and provided further, that not less than \$20,000 shall be expended for a school resource officer at Hull public schools”; and in said item by striking out the figures: “11,769,864” and inserting in place thereof the figures: “13,459,864”;

In item 7010-0020 by striking out the figures: “250,000” and inserting in place thereof the figures: “400,000”;

In item 7027-0019, in line 16, by inserting after the word “teachers” the following: “; provided further, that not less than \$250,000 shall be provided for a culinary arts program at South Hadley High School to provide vocational training to students”; and in said item by striking out the figures: “1,000,000” and inserting in place thereof the figures: “2,950,000”;

In item 7035-0002, in line 5, by inserting after the word “education” the following: “; provided further, that not less than \$150,000 shall be expended for Operation A.B.L.E. of Greater Boston to provide basic workforce and skills training, employment services and job re-entry support to older workers; provided further, that not less than \$50,000 shall be expended for Casa Dominicana of Lawrence to assist with citizenship, high school equivalency testing, and English as a second language classes for low-income adults”; and in said item by striking out the figures: “28,482,378” and inserting in place thereof the figures: “28,982,378”;

In item 7061-0012, in line 47, by inserting after the word “guidelines” the following: “; provided further, that not less than \$250,000 shall be expended for school districts in which special education costs exceed 25 per cent of the total district costs and in which tuition and other circuit-breaker eligible costs for placements at an approved private school located within the district exceed both \$1,000,000 and 25 per cent of all tuition and other circuit-breaker eligible costs for placements at approved private schools”;

By inserting after item 7061-0029 the following item:

“7061-0033 For a reserve to assist towns negatively impacted by shortfalls in federal impact aid for the education of children in families employed by the federal government on the military reservation known as Hanscom Air Force Base located within the town’s limits (“Hanscom Towns”); provided, that any grants provided under this item shall be expended by a school committee without further appropriation; provided further, that funds may be

expended on membership dues for the Interstate Compact on Educational Opportunity for Military Children; provided further, that Hanscom Towns may apply for funding in excess of this initial appropriation if funds under this item are increased and a Hanscom Town demonstrates that it would otherwise qualify for an amount greater than the initial funding of this item when compared with all other accepted applications using the same formula applied for in item 7061-0033 in section 2 of chapter 139 of the acts of 2012; and provided further, that not less than \$100,000 shall be made available to the town of Lincoln to mitigate the costs of educating the children of retired-military families.....\$500,000”;

In item 7061-9611, in line 27, by inserting after the word “months” the following: “; provided further, that not less than \$30,000 shall be appropriated to Homework House of Holyoke; provided further, that not less than \$100,000 shall be expended for the Youth Court programs of New Bedford and Fall River to support juvenile diversion programs based on the principles of peer-lead restorative justice; provided further, that not less than \$100,000 shall be expended for the Department of Community Services in the City of New Bedford to establish an after-school STEAM Design Academy for Girls pilot program; provided further, that not less than \$25,000 shall be expended for the Bird Street Community Center in Boston; provided further, that not less than \$20,000 shall be expended for Steps to Success, Inc. in the town of Brookline; provided further, that not less than \$50,000 shall be expended for the Recreation Worcester program; provided that \$25,000 shall be expended for Boston Scholar Athletes for its athletic and professional training programming”; and in said item by striking out the figures: “1,499,154” and inserting in place thereof the figures: “2,955,000”;

In item 7061-9612, in line 14, by inserting after the year “2017” the following: “; provided further, not less than \$100,000 shall be expended in order to leverage preexisting investments and establish an infrastructure to facilitate coordination of school and community based resources, including but not limited to social services, youth development, health and mental health resources, the safe and supportive schools commission shall include in the self-assessment tool and framework principles of effective practice for integrating student supports not later than December 31, 2017”; and in said item by striking out the figures: “200,000” and inserting in place thereof the figures: “500,000”;

In item 7061-9634 by striking out the figures: “400,000” and inserting in place thereof the figures: “500,000”;

By inserting after item 7061-9634 the following item:
“7061-9810 For regional bonus aid under subsection (g) of section 16D of chapter 71 of the General Laws.....\$56,920”;

In item 7066-0000, in line 20, by inserting after the word “program” the following: “; provided further that funding may be expended for a feasibility study of a new campus located in the town of Framingham”;

In item 7066-0009 by striking out the figures: “181,417” and inserting in place thereof the figures: “367,500”;

In item 7066-0019 by striking out the figures: “750,000” and inserting in place thereof the figures: “1,000,000”;

By inserting after item 7066-0019 the following item:
“7066-0020 For the nursing and allied health workforce development initiative, to develop and support strategies that increase the number of

public higher education faculty members and students who participate in programs that support careers in fields related to nursing and allied health; provided, that the amount appropriated in this item shall be transferred to the Massachusetts Nursing and Allied Health Workforce Development Trust Fund established in section 33 of chapter 305 of the acts of 2008; and provided further, that funds shall be transferred to the fund according to an allotment schedule adopted by the executive office for administration and finance.....\$200,000”;

By inserting after item 7066-0036 the following two items:

- “7066-0040 For adult college transition services focused on low-income and entry-level workers; provided, that funds shall be awarded competitively by the board of higher education to adult basic education providers, including local education agencies, community-based organizations, community colleges and correctional facilities with recognized success in bridging academic gaps of underserved populations and resulting in college entrance, retention and completion; provided further, that program awardees shall report on attendees’ successful transition to college and that the program shall deliver to the joint committee on education and the house and senate committees on ways and means not later than February 15, 2018, an evaluation of the program and its impact on student achievement, particularly as it relates to closing achievement gaps; and provided further, that appropriated funds may be expended for programs or activities during summer months.....\$250,000
- 7066-1221 For the administration of the community college workforce grant advisory committee; provided, that funding shall be expended on the community college workforce training incentive grant program established in section 15F of chapter 15A of the General Laws.....\$750,000”;

In item 7066-9600 by striking out the figures: “1,143,979” and inserting in place thereof the figures: “1,416,235”;

In item 7100-0200, in line 9, by inserting after the word “maintenance” the following: “; provided further, that the University of Massachusetts shall expend funds for the University of Massachusetts at Amherst Cranberry Station; provided further, that not less than \$85,000 shall be made available for renovations and improvements to the UMASS Marine Station Gloucester”; and in said item by striking out the figures: “513,375,371” and inserting in place thereof the figures: “513,460,371”;

In item 7100-0700 by striking out the figures: “550,000” and inserting in place thereof the figures: “750,000”;

In item 7100-4000 by adding the following: “; provided further, an amount not less than \$75,000 shall be expended to implement an automotive repair technician training and job placement program established pursuant to section 57 of chapter 74 of the General Laws”; and in said item by striking out the figures: “2,739,638” and inserting in place thereof the figures: “2,814,638”;

In item 7503-0100 by adding the following: “; provided, that not less than \$100,000 shall be made available for the operation of the Veteran Educational Services Center located at Bristol Community College”; and in said item by striking out the figures: “20,840,813” and inserting in place thereof the figures:

“20,940,813”;

In item 7505-0100 by adding the following: “; provided, that not less than \$75,000 shall be made available for the operation of a Farm and Food Systems pilot program and Teaching Garden at Greenfield Community College”; and in said item by striking out the figures: “10,407,985” and inserting in place thereof the figures: “10,482,985”;

In item 7511-0100 by adding the following words: “; provided, that not less than \$50,000 shall be made available for the development and implementation of the Ability to Benefit pilot program, a career pathway program that partners Wellspring House, Inc. with North Shore Community College to integrate adult basic education with college-level coursework”; and in said item by striking out the figures: “21,568,575” and inserting in place thereof the following figures: “21,618,575”;

By inserting before item 7066-1400 the following item:

“7518-0120 For state university and community college efficiency efforts through the PACE initiative..... \$200,000”;

By inserting after section 9 the following section:

“SECTION 9A. Section 9 of Chapter 15A of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by adding the following new paragraph:—

Notwithstanding the provisions of any general or specific law to the contrary, the board of higher education shall have the authority to enter into interstate reciprocity agreements that authorize any accredited, degree-granting institution of higher education located in Massachusetts to voluntarily participate in such reciprocity agreements and to provide distance education programs to students in other states in accordance with the provisions of such agreements. The authority granted by this paragraph applies only to distance learning programs and does not affect other approvals of institutions of higher education or programs required under Massachusetts law, nor does it affect any exemptions for institutions of higher education or programs. Nothing in this section shall be construed to prohibit accredited, degree-granting institutions of higher education located in Massachusetts that do not participate in any interstate reciprocity agreement entered into by the board of higher education from offering postsecondary distance education programs. Provided further, and for purposes of online distance education programs only, that an accredited, degree-granting institution of higher education located in another state that is a party to the interstate reciprocity agreement entered into by the board shall be in compliance with section 31A of chapter 69 as long as said institution of higher education is approved to participate in and meets all of the requirements of such interstate reciprocity agreement. Provided further, that nothing in this section shall be construed to affect the authority of the Attorney General to enforce statutes or promulgate and enforce regulations prohibiting consumer fraud and unfair or deceptive business practices, including but not limited to chapter 93A, and to enforce the federal Consumer Financial Protection Act of 2010, as authorized by 12 U.S.C. 5552. Before the board of higher education enters into any interstate reciprocity agreement, the Department of Higher Education and the Attorney General shall execute any memoranda of understanding needed to coordinate the enforcement of applicable requirements, statutes and regulations, including those related to consumer fraud and unfair or deceptive business practices.”;

By inserting after section 58 the following two sections:

“SECTION 58A. Section 190 of chapter 133 of the acts of 2016 is hereby amended by inserting, after the second sentence, the following sentence:— The

commission shall be chaired by the secretary of education, or a designee.

SECTION 58B. Said section 190 is hereby further amended by striking out, in the final sentence, the words ‘July 1, 2017’ and inserting in place thereof the following words:— December 31, 2018.”; and

By inserting after section 74 the following section:

“SECTION 74A. The department of early education and care shall report to the house and senate committees on ways and means, not later than February 1, 2018 on any anticipated surpluses in items 3000-3060 and 3000-4060; provided further, that any funding appropriated and continued from a previous fiscal year or any surplus funding in fiscal year 2018 in said line items shall be directed to increase infant and toddler rates in family child care and center-based programs to not less than the 50 per cent of the statewide average for such programs and any such funding or surplus shall also be directed to provide a rate increase of not less than 6 per cent for center-based subsidized early education and care providers; and provided further, that no funds from these line items in fiscal year 2018 shall revert to the general fund and any surplus funds shall be used for additional rate increases.”.

After the debate on the question on adoption the consolidated amendments (local aid and education), the sense of the House was taken by yeas and nays, as required under the provisions of House Rule 33F, and on the roll call 158 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 39 in Supplement.]

Therefore the amendments were adopted.

Consolidated
amendments
adopted,—
yea and nay
No. 39.

Recess.

At six minutes after nine o’clock P.M. (Monday, April 24, 2017), on motion of Mr. Hill of Ipswich (Mrs. Haddad of Somerset being in the Chair), the House recessed until the following day at half past ten o’clock A.M.; and at twenty one minutes before eleven o’clock A.M., the House was called to order with Mr. O’Day of West Boylston in the Chair.

Recess.

Tuesday, April 25, 2017 (at 10:37 o’clock A.M.).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Peace, God of Harmony we ask Your blessings upon all who work within this House Chamber. May their efforts today and throughout this week be grounded in the vision of an ever more grand and glorious Commonwealth.

We remember that on this day 195 years ago James Pierpont was born in Boston. After serving in the U.S. Navy, Pierpont returned to the Boston area, married and settled for a time in Medford. It is claimed that it was during his time there that he wrote the now famous Christmas song, “Jingle Bells.”

We pray that the hard work of our representatives and their staff will help make spirits bright.

May God Continue to bless our Commonwealth.

Prayer.

At the request of the Chair (Mr. O’Day), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Statement of Representative Tosado of Springfield.

A statement of Mr. Tosado of Springfield was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I was unable to be present in the House Chamber for yesterday's session due to a previously scheduled family event. If I had been present for the for the votes taken on roll call Nos. 25, 27, 28, 29, 30, 32, 33, 35 and 39, I would have voted in the affirmative, in each instance. On roll call Nos. 26, 31, 34, 36, 37 and 38, I would have voted in the negative, in each instance. My missing of roll calls yesterday was due entirely to the reason stated.

Statement of
Mr. Tosado
of Springfield.

Papers from the Senate.

Reports of the committee on the Judiciary, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 754) of Michael J. Barrett, John W. Scibak, Barbara A. L'Italien, Danielle W. Gregoire and other members of the General Court for legislation to safeguard the health care decisions of young adults; and

Young adults,—
health care.

Of the petition (accompanied by bill, Senate, No. 784) of Harriette L. Chandler, Marjorie C. Decker, Jason M. Lewis, Ann-Margaret Ferrante and other members of the General Court for legislation to update public health laws regarding women's health;

Women's
health.

And recommending the same severally be referred to the committee on Public Health.

Severally accepted by the Senate, were considered forthwith, under Rule 42; and they were accepted, in concurrence.

Recess.

At nineteen minutes before eleven o'clock A.M., on motion of Mr. Donato of Medford (Mr. O'Day of West Boylston being in the Chair), the House recessed until eleven o'clock A.M.; and at two minutes after eleven o'clock A.M., the House was called to order with Mr. Donato in the Chair.

Recess.

Reports of Committees.

By Mr. Parisella of Beverly, for the committee on Public Service, on a joint petition, a Bill amending the charter of the town of Acushnet to eliminate the residency requirement for town administrator (House, No. 1409) [Local Approval Received].

Acushnet,—
administrator.

By the same member, for the same committee, on a joint petition, a Bill to amend the residency requirement for the town manager of the town of Shrewsbury (House, No. 2795) [Local Approval Received].

Shrewsbury,—
town manager.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Murphy of Weymouth, for said committee, then reported that the matters

be scheduled for consideration by the House.

Under suspension of the rules, on motion of the same member, the bills were read a second time forthwith; and they were ordered to a third reading.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill to establish a sick leave bank for Donald Stuart, an employee of the Department of Correction (House, No. 3647), be scheduled for consideration by the House.

Donald Stuart,—
sick leave.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill establishing a sick leave bank for Elizabeth C. Cox, an employee of the Department of Public Health (House, No. 3645), be scheduled for consideration by the House.

Elizabeth Cox,—
sick leave.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith.

Pending the question on ordering the bill to a third reading, Mr. Puppolo of Springfield moved to amend it in line 4 by inserting after the word “Cox” the words “to care for her child”.

The amendment was adopted; and the bill (House, No. 3645, amended) was ordered to a third reading.

Orders of the Day.

The Senate Bill establishing a sick leave bank for Paula Daggett, an employee of the Department of Correction (Senate, No. 2038), reported by the committee on Bills in the Third Reading to be correctly drawn was read a time; and it was passed to be engrossed, in concurrence.

Third
reading
bill.

At nine minutes after eleven o'clock A.M., on motion of Mr. Chan of Quincy (Mr. Donato of Medford being in the Chair), the House recessed until twelve o'clock noon; and at that time, the House was called to order with Mr. Petrolati of Ludlow in the Chair.

Recess.

The House Bill making appropriations for the fiscal year 2018 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 3600, amended), was considered.

General
Appropriation
Bill.

Pending the question on passing the bill, as amended, to be engrossed, Mr. Dempsey of Haverhill and other members of the House moved to amend it in section 2

Consolidated
amendments
(energy and
environmental
affairs).

In item 2000-0100 by adding the following: “; provided, that not less than \$100,000 shall be expended for the Swansea Beach revitalization project; provided further, that not less than \$100,000 shall be expended for the Rourke Bridge study

in Lowell; and provided further, that not less than \$25,000 shall be expended for energy conservation projects for school and town buildings in Belmont; provided further, not less than \$25,000 shall be expended for mill site reclamation for elderly housing by the town of Bellingham”; and in said item by striking out the figures: “8,896,322” and inserting in place thereof the figures: “9,046,322”;

In item 2200-0100 by adding the following: “; and provided further, that not less than \$50,000 shall be expended to the town of Wrentham for a water service project”; and in said item by striking out the figures: “24,408,940” and inserting in place thereof the figures: “24,958,940”;

In item 2250-2000 by adding the following: “; provided, that not less than \$50,000 shall be expended for the design and construction of a drinking water main-line in the town of Webster”; and in said item by striking out the figures: “2,743,531” and inserting in place thereof the figures: “2,793,531”;

In item 2300-0100, in line 8, by inserting after the word “costs” the following: “; provided further, that not less than \$100,000 shall be expended for the Herring Run to Whitman’s Pond in Weymouth”; and in said item by striking out the figures: “933,879” and inserting in place thereof the figures: “1,033,879”;

In item 2300-0101 by adding the following: “; provided, that not less than \$50,000 shall be expended for the restoration of the Aberjona Riverbank in Winchester”; and in said item by striking out the figures: “855,156” and inserting in place thereof the figures: “905,156”;

In item 2310-0200 by adding the following: “; provided, that not less than \$25,000 shall be expended for the Franklin, Medway, and Bellingham Army Corps of Engineers flood plain and wildlife habitat”; and in said item by striking out the figures: “15,106,053” and inserting in place thereof the figures: “15,131,053”;

In item 2310-0300 by adding the following: “; provided, that not less than \$100,000 shall be expended for implementing the statewide habitat conservation plan for the Commonwealth’s beaches”; and in said item by striking out the figures: “150,000” and inserting in place thereof the figures: “250,000”;

In item 2330-0100, in line 26, by inserting after the word “action” the following: “; provided further, that not less than \$125,000 shall be expended for the continuation of the Industry Based Survey Program conducted by the division; provided further, that not less than \$175,000 shall be expended for shellfish propagation in Barnstable, Dukes, and Nantucket counties; provided further, that not less than \$50,000 shall be expended for the Fishing Academy, Inc. program; provided further, that not less than \$50,000 shall be expended for the purpose of coastal and marsh revitalization”; and in said item by striking out the figures: “6,072,281” and inserting in place thereof the figures: “6,472,281”;

In item 2511-0100 by adding the following: “; provided, that not less than \$50,000 shall be for the Greater New Bedford region food initiative; provided further, that not less than \$100,000 shall be expended for the Homeless Animal Care and Adoption fund; provided further, that not less than \$120,000 shall be expended for the Massachusetts Farm to School Project; provided further, that not less than \$200,000 shall be expended to meet the cost products, equipment, and labor associated with the eradication of the arbovirus, as well as the cost of any other type of pesticide or agent, in order to prevent the spread of Eastern Equine Encephalitis, West Nile virus and the Zika virus in Bristol and Plymouth Counties; provided further, that not less than \$90,000 shall be expended for apiary inspection; and provided further, that not less than \$300,000 shall be expended for the Buy Local effort in Western, Central, Northeastern, and Southeastern Massachusetts”; and in said item by striking out the figures: “4,957,651” and inserting in place thereof the

figures: “5,817,651”;

In item 2511-0105, in line 7, by inserting after the word “item” the following: “; provided further, that not less than \$85,000 shall be expended for the Cambridge Weekend Backpack Program; provided further, that not less than \$25,000 shall be expended for the Pembroke Soup Connection, Inc.; provided further, that not less than \$25,000 shall be expended for the Food for the World, Inc.; provided further, that not less than \$50,000 shall be expended for the Lovin’ Spoonfuls, Inc.” and in said item by striking out the figures: “17,000,000” and inserting in place thereof the figures: “17,685,000”;

In item 2800-0100 by adding the following: “; provided, that not less than \$50,000 shall be expended for the improvement and management of lakes and ponds in Central Plymouth County Water District; provided, that the department shall enter into an interagency service agreement with MassDevelopment for the purpose of supporting the management and operations at the New Bedford and Fall River state piers; provided further, that not less than \$350,000 shall be expended for aquatic invasive species control; and provided further, that not less than \$75,000 shall be expended for an open spaces and parks study in Dedham”; and in said item by striking out the figures: “4,237,773” and inserting in place thereof the figures: “4,712,773”;

In item 2800-0401 by adding the following: “; provided, that not less than \$25,000 shall be expended for storm water testing in Belmont” and in said item by striking out the figures: “419,542” and inserting in place thereof the figures: “444,542”;

In item 2800-0500 by adding the following: “; provided, that not less than \$50,000 shall be expended for the cleanup of *Pilayella* algae on Kings Beach and Long Beach in Lynn; provided further, that not less than \$900,000 shall be expended for the Metropolitan Beaches in Lynn, Nahant, Revere, Winthrop, East Boston, South Boston, Dorchester, Quincy and Hull to be fully maintained and seasonally staffed as recommended by the Metropolitan Beaches Commission in coordination with the Department of Conservation and Recreation; provided further that not less than \$50,000 shall be expended for Save the Harbor/Save the Bay’s staff time, consultants and direct expenses to support the ongoing work of the Metropolitan Beaches Commission; and provide further that not less than \$190,000 shall be expended for matching grants to public and nonpublic entities to support free public events and programs on the metropolitan beaches as part of Save the Harbor/Save the Bay’s Better Beaches Grants Program as recommended by the Metropolitan Beaches Commission”; and in said item by striking out the figures: “500,000” and inserting in place thereof the figures: “1,190,000”;

In item 2800-0501 by striking out the figures: “15,466,544” and inserting in place thereof the figures: “15,666,544”;

In item 2800-0700 by adding the following: “; provided, that not less than \$25,000 shall be expended for dam inspections and repairs at Breed and Walden ponds in Lynn”; and in said item by striking out the figures: “620,361” and inserting in place thereof the figures: “645,361”;

In item 2810-0100, in line 16, by inserting after the word “item” the following: “; provided further, that not less than \$25,000 shall be expended for improvements to Magazine Beach in Cambridge; provided further, that not less than \$20,000 shall be expended for the management of Wampatuck Pond in Hanson; provided further, that not less than \$50,000 shall be expended for improvements at McKenzie Field in Holyoke; provided further, that not less than \$55,000 shall be expended for the maintenance of Red Rock Park in Lynn; provided further, that not less than \$75,000

shall be expended for an air quality study at the Concord playing fields between route 126 and Crosby's Corner in Concord; provided further, that not less than \$100,000 shall be expended for improvements to Ghiloni Park and Stevens Playground in Marlborough; provided further, that not less than \$50,000 shall be expended for improvements to the Head Town Landing in Westport; provided further, that not less than \$25,000 shall be expended for the Blue Hills Trailside Museum; provided further, that not less than \$50,000 shall be expended for weed removal and water quality measurement for Johnson's Pond in Groveland; provided further, that not less than \$25,000 shall be expended for the development of a community garden at the Medway Community Farm in Medway; provided further, that not less than \$25,000 shall be expended for the restoration of the iron ore fence on the corner of Rt. 123 and Rt. 140; provided further, that not less than \$50,000 shall be expended for a study on DCR's wooded land adjacent to DCR's Kennedy Playground and Garden in Mattapan; provided further, that not less than \$15,000 shall be expended for renovations to the Greenville Pond Dam in Leicester; provided further, that not less than \$50,000 shall be expended for repairs to the carriage house in Lynch Park in Beverly, provided further, that not less than \$25,000 shall be expended for construction purposes for the Friends of Coppens Square; provided further, that not less than \$25,000 shall be expended for fencing and repairs to City Square Park in Charlestown; provided further, that not less than \$250,000 shall be expended for a new veterans park in Lowell; provided further, that not less than \$75,000 shall be expended for park renovations in Brockton; provided further, that not less than \$200,000 shall be expended for open space development at Callahan State Park in Framingham; provided further that not less than \$25,000 shall be expended for the Veterans Road playground in Dedham; provided further, that not less than \$50,000 shall be expended for MacDonald Memorial Park in Medford; provided further, that not less than \$100,000 shall be expended for the Blue Hill Observatory Science Center; provided further, that not less than \$50,000 shall be expended for the removal of hazardous substances in Ashland; provided further, that not less than \$50,000 shall be expended for the Hancock Playground in Brockton; provided further, that not less than \$175,000 shall be expended for tree re-planting in Worcester; provided further, that not less than \$30,000 shall be expended for the Tom Lopes Community Sculpture Project; provided further, that not less than \$10,000 shall be expended for the Methuen School District's rowing program; provided further, that not less than \$50,000 shall be expended for the Bradford Rail Trail in Haverhill; provided further, that not less than \$45,000 shall be expended for the treatment and preservation of Indian Lake in Worcester; provided further, that not less than \$25,000 shall be expended for the restoration of the Artesani park outdoor theatre; provided further, that not less than \$75,000 shall be expended for the Let's Row Boston program; provided further, that not less than \$50,000 shall be expended for air and noise pollution on I-93 in Somerville"; and in said item by striking out the figures: "35,163,728" and inserting in place thereof the figures: "37,088,728";

In item 2810-2042, in line 18, by striking out the figures: "22,125,000" and inserting in place thereof the figures: "25,000,000"; in line 48. by inserting after the following: "1B" the following: " provided further, that not less than \$25,000 shall be expended for a memorial plaque for World War II Veteran, Leo J. Martin at the Leo J. Martin Golf Course in Weston"; and in said item by striking out the figures: "20,000,000" and inserting in place thereof the figures: "20,025,000";

In item 7006-1001 by adding the following: " provided, that not less than \$50,000 shall be expended for a battery testing facility feasibility study"; and in said

item by striking out the figures: “224,111” and inserting in place thereof the figures: “274,111”;

By inserting after section 69 the following section:

“SECTION 69A. Notwithstanding any general or special law to the contrary, the division of marine fisheries shall determine a fee per bag for contaminated shellfish to be paid to a city or town whose coastal waters contain shellfish as defined in section 1 of chapter 130 that: (i) have been removed or taken from areas declared be contaminated by the division under section 74 of chapter 130 of the general laws; and (ii) transplanted to a receiving city or town for cleaning and purification in clean water. The fee, as determined by the division, shall be assessed on a city or town receiving transplanted contaminated shellfish for cleaning and purification on a per bag basis. Said city or town receiving transplanted contaminated shellfish shall pay the fee, as assessed and determined by the division under this section, to a city or town whose coastal waters contained said contaminated shellfish that were removed and transplanted to a receiving city or town.”; and

By inserting after section 71 the following section:

“SECTION 71A. The Massachusetts clean energy center shall conduct a feasibility study of an energy efficiency project to assist an aviation manufacturing facility whose company headquarters are located within the commonwealth and in which the property tax receipts to a gateway city from said facility may be reduced due to a reduction in capacity factor or potential closure of said facility; provided, that the study shall include impacts on carbon dioxide and nitrogen emissions; and provided, further, that the project will satisfy the following economic and environmental criteria, including, but not limited to: (i) enhanced electricity reliability; (ii) contribute to reducing winter electricity price spikes; (iii) where possible, mitigate any environmental impacts; and (iv) where feasible, create and foster employment and economic development in the commonwealth. The study shall include an analysis of potential funding sources and economic and environmental effects and shall be filed with the house and senate chairs of the joint committee on telecommunications, utilities, and energy and the clerks of the house of representatives and senate on or before December 31, 2017.”.

After remarks on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, as required under the provisions of House Rule 33F; and on the roll call 160 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 40 in Supplement.]

Therefore the consolidated amendments (energy and environmental affairs) were adopted.

Mrs. O’Connell of Taunton and other members of the House then moved to amend the bill by adding the following section:

“SECTION 102. Chapter 23B of the General Laws is hereby amended by adding the following section:

Section 31. All applicants and household members over the age of 18 shall provide a social security number upon application for state funded public housing. All legal non-resident applicants and household members shall provide an alien registration number; provided that immigration status and alien registration number of all non-citizens applicants and household members shall be checked through the federal Immigration and Naturalization Service. No applicants shall be given temporary placeholder social security numbers, unless under lawfully protected status.

The alien registration number and immigration status of non-citizen applicants

Consolidated
amendments
adopted,—
yea and nay
No. 40.

and household members shall be re-verified upon expiration of said alien registration documents.

All applicants and household members 16 years of age and older shall have their criminal offender record information checked prior to admission to housing; provided that a social security number shall be provided for this purpose, unless exempted under lawfully protected status. Housing authorities shall have full access to criminal offender record information.”.

Pending the question on adoption of the amendment, Mr. Rushing of Boston moved to amend it by adding the following section:

“SECTION 102A. Notwithstanding any general or special law to the contrary, the provisions of section 102 shall not take effect until completion of the following: (i) there shall be established, pursuant to section 2A of chapter 4 of the General laws, a commission on public assistance programs to study the impact of legislative proposals to change eligibility standards or other requirements restricting access to state assisted housing programs, including the impact of requiring documentation such as, but not limited to, social security numbers or alien registration numbers, or limiting applicants based on certain categories of citizenship and immigration status. The commission shall investigate and study the demographics of applicants for state assisted public housing and review and evaluate the application process for applying to state assisted public housing. The commission shall further investigate and study the legality of imposing these restrictions under 5 U.S.C. § 7(a)(1), and shall further investigate and study the constitutionality of imposing such restrictions under the United States and Massachusetts Constitution. The commission shall study the costs and administrative burdens on local housing authorities to collect and verify immigration statuses beyond the requirements of current law; (ii) the commission shall file a report with the clerks of the senate and house of representatives not later than July 1, 2018. The report shall include, but not be limited to: (1) the number of applicants and household members for state-assisted public housing who would be unable to access state-assisted public housing if required to submit a social security number on their application, and of that population: the number of applicants and household members who are United States citizens, including U.S. citizen children of ineligible parents or guardians, the number of applicants and household members who are legal permanent residents, the number of applicants and household members who are otherwise lawfully present in the United States, and the number of applicants and household members who are United States veterans; (2) the number of applicants and household members for state-assisted public housing who would be unable to access state-assisted public housing if required to submit a social security number or an alien registration number on their application, and of that population: the number of applicants and household members who are United States citizens, including U.S. citizen children of ineligible parents or guardians, the number of applicants and household members who are legal permanent residents, the number of applicants and household members who are otherwise lawfully present in the United States, and the number of applicants and household members who are United States veterans; (3) the number of applicants and household members for state-assisted public housing who would be unable to access state-assisted public housing if requirements identical to those found in 42 U.S. Code § 1436a were enacted, and of that population: the number of applicants and household members who are United States citizens, including U.S. citizen children of ineligible parents or guardians, the number of applicants and household members who are legal permanent residents, the number of applicants and household members who are otherwise lawfully present in the United States, and the number

of applicants and household members who are United States veterans; (4) the number of applicants and household members for state-assisted public housing who would be unable to access state-assisted public housing if requirements identical to those found in 42 U.S. Code § 1436a were enacted, and of that population: the number of applicants and household members who are United States citizens, including U.S. citizen children of ineligible parents or guardians, the number of applicants and household members who are legal permanent residents, the number of applicants and household members who are otherwise lawfully present in the United States, and the number of applicants and household members who are United States veterans; (5) the number of applicants and household members for state-assisted public housing who would be unable to access state-assisted public housing if requirements identical to those found in 24 CFR 5.216 were enacted, and of that population: the number of applicants and household members who are United States citizens, including U.S. citizen children of ineligible parents or guardians, the number of applicants and household members who are legal permanent residents, the number of applicants and household members who are otherwise lawfully present in the United States, and the number of applicants and household members who are United States veterans; (6) the net fiscal impacts, if any, of implementing and enforcing further restrictions; (iii) the commission shall consist of the Undersecretary of the Department of Housing and Community Development, or the Undersecretary's designee, who shall serve as chair of the commission; The Executive Director of the Office for Refugees & Immigrants, or the Executive Director's Designee; the Attorney General of the Commonwealth of Massachusetts, or a designee; the minority leader of the house of representatives, or a designee; the minority leader of the senate, or a designee; the house and senate chairs of the Joint Committee on Housing, or the chairs' designees; a representative of the Massachusetts Municipal Association; a representative of the Massachusetts Immigration and Refugee Advocacy Coalition; a representative of the Massachusetts Chapter of the National Association of Housing and Redevelopment Officials; and a representative of the Massachusetts Law Reform Institute; and (iv) legislation necessary to carry out any recommendations in the report has been filed and enacted pursuant to Part 2, Chap. 1, Sec. 1, Art. II of the Constitution.”.

After debate on the question on adoption of the further amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Lyons of Andover; and on the roll call 124 members voted in the affirmative and 36 in the negative.

[See Yea and Nay No. 41 in Supplement.]

Therefore the further amendment was adopted.

The amendment offered by Mrs. O'Connell, et al, as amended, then also was adopted.

Mr. Dempsey of Haverhill and others members of the House then moved to amend the bill in section 2

In item 4110-1000 by striking out the figures: “4,207,203” and inserting in place thereof the figures: “4,350,682”;

In item 5042-5000, in line 19, by inserting after the word “women” the following: “; provided further, that the Department shall expend not less than \$50,000 for the Children's Room in Arlington; provided further, that not less than \$75,000 shall be expended for YouthConnect in the communities of East Boston; provided further, that not less than \$100,000 shall be expended for the Alliance for Inclusion and Prevention's services; provided further, that not less than \$75,000 shall be expended for the Northwestern Juvenile Fire Intervention Response Education and Safety Partnership, Inc. for a juvenile firesetter intervention and

Further amendment adopted,—yea and nay No. 41.

Consolidated amendments (housing, mental health and disability services).

prevention programs in Hampshire and Franklin counties, the town of Athol, North Quabbin and the city of Holyoke”; and in said item by striking out the figures: “88,906,786” and inserting in place thereof the figures: “89,206,786”;

In item 5046-0000, in line 18, by inserting after the figures: “60” the following: “; provided further, that not less than \$100,000 shall be expended for the interface referral services of William James College, Inc. in Plymouth county; provided further, that not less than \$150,000 shall be expended to the International Institute of New England, Inc. for culturally and linguistically appropriate mental health services for immigrants and refugees”; and in said item by striking out the figures: “388,130,579” and inserting in place thereof the figures: “388,380,579”;

In item 5920-2025 by adding the following “; and provided further, that not less than \$25,000 shall be expended for the Project SEARCH program”;

In item 7004-0099, in line 51, by inserting after the word “requirements” the following: “; provided further, that not less than \$50,000 be expended for the Commonwealth Housing Development in Brighton; provided further, not less than \$50,000 shall be expended to the town of Sherborn for the preservation of historic documents; provided further, that not less than \$25,000 shall be expended for the Metropolitan Boston Housing Partnership; provided further, that not less than \$50,000 shall be expended for the Pleasant Street Neighborhood Network Center in Worcester; provided further, that not less than \$50,000 shall be expended on the Methuen Arlington Neighborhood, Inc.; provided further, that not less than \$85,000 shall be expended for infrastructure grants to the town of Clinton; provided further, that not less than \$100,000 shall be expended for the Homeless Prevention Council of Lower Cape Cod; provided further, that not less than \$250,000 shall be expended annually for provision of emergency services that provide domestic violence intervention, workforce development, housing assistance, operation of food vouchers, winter coats for kids and holiday dinners operated by Community Action Programs Inter-City, Inc. for the communities specified in item 7004-0099 of section 2 of chapter 68 of the acts of 2011; provided further, that not less than \$75,000 shall be expended to World is Our Classroom, Inc. serving the towns of Holyoke, Westfield, Chicopee and Greenfield; provided further, that not less than \$25,000 shall be allocated to the Town of Randolph to be expended on funding operating costs at the Randolph Economic Opportunity Center in the Town of Randolph; provided further, that not less than \$50,000 shall be expended to Housing Families, Inc. in the city of Malden for providing educational support programming for homeless children through the GREAT Youth and Families Program; provided further, that not less than \$25,000 shall be expended for a homeless outreach coordinator for the town of Barnstable”; and in said item by striking out the figures: “6,988,468” and inserting in place thereof the figures: “7,823,468”;

In item 7004-0101, in line 117, by inserting after the word “costs” the following: “; provided further, that not less than \$200,000 shall be expended to establish the Home Works program; provided further, that \$150,000 be expended for the operation of the Portal to Hope servicing Everett, Malden & Medford”; and in said item by striking out the figures: “155,533,948” and inserting in place thereof the figures: “155,883,948”;

In item 7004-0102, in line 14, by inserting after the word “shelters” the following: “; provided further, that not less than \$125,000 shall be expended for the United Way of Pioneer Valley on behalf of the Western Massachusetts Network to End Homelessness to facilitate regional coordination and implement Western Massachusetts Opening Doors: An Action Framework to Prevent and End Homelessness; provided further, that no less than \$60,000 shall be expended for the

basic needs programs for the Friendly House in Worcester; provided further, that \$40,000 shall be expended for the Quinsigamond Community Village Center in Worcester”; and in said item by striking out the figures: “46,180,000” and inserting in place thereof the figures: “46,405,000”;

In item 7004-0104 by striking out the figures: “2,000,000” and inserting in place thereof the figures: “2,200,000”;

In item 7004-3045 by striking out the figures: “500,000” and inserting in place thereof the figures: “750,000”;

In item 7004-9007 by striking out the figures: “800,000” and inserting in place thereof the figures: “1,172,132”;

In item 7004-9024, in line 61, by inserting after the word “own” the following: “; provided further, that notwithstanding any special or general law to the contrary, funds may be expended from this item for the costs of a voucher management system”; and

In item 7004-9030 by striking out the figures: “4,850,000” and inserting in place thereof the figures: “5,000,000.”.

After remarks on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, as required under the provisions of House Rule 33F; and on the roll call 160 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 42 in Supplement.]

Therefore the consolidated amendments (housing, mental health and disability services) were adopted.

Mr. Donato of Medford being in the Chair,—

Mrs. O’Connell of Taunton and other members of the House then moved to amend the bill by adding the following section:

“SECTION 103. Section 5I(b) of Chapter 18 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out in the last sentence ‘court.’ and inserting in place thereof the following:— ‘court; or marijuana or marijuana products not prescribed under the law for medicinal purposes’ and by striking out in section 5j ‘; or on cruise ships.’ and inserting in place thereof the following:— ‘;on cruise ships; or at establishments or businesses that sell marijuana or marijuana products not prescribed under the law for medicinal purposes.’.

Pending the question on adoption of the amendment, Mr. Cusack of Braintree moved to amend it by adding the following section:

“SECTION 104. Notwithstanding any general or special law to the contrary, the provisions of section 103 shall not take effect until July 1, 2018 or until such time as the Joint Committee on Marijuana Policy has a filed report and legislation has been filed and enacted pursuant to Part 2, Chap. 1, Sec. 1, Art. II of the Constitution.”.

After debate on the question on adoption of the further amendment, the sense of the House was taken by yeas and nays, at the request of Mrs. O’Connell of Taunton; and on the roll call 123 members voted in the affirmative and 37 in the negative.

[See Yea and Nay No. 43 in Supplement.]

Therefore the further amendment was adopted.

The amendment offered by Mrs. O’Connell, et al, as amended, then also was adopted.

Mr. Lyons of Andover and other members of the House then moved to amend the bill by adding the following section:

“SECTION 105. Chapter 119 of the General Laws is hereby amended by inserting the following new section:—

Amendments
adopted,—
yea and nay
No. 42.

Further
amendment
adopted,—
yea and nay
No. 43.

Section 86. (a) Notwithstanding any general or special law to the contrary, there shall be an independent commission to study and report on the recent case before the Department of Children and Families regarding Justina Pelletier. The commission shall consist of: the inspector general, or a designee; the attorney general, or a designee; the state auditor, or a designee; 2 members of the house of representatives, 1 of whom shall be appointed by the minority leader, and shall act as chair; and 2 members of the senate, 1 of whom shall be appointed by the minority leader. The commission shall research and assess the cost of the case, and the evidence and reasoning that led the Department of Children and Families to take Justina Pelletier away from her family. The commission shall also conduct an investigation of Massachusetts General Law Chapter 119, section 51A, focusing the number of families affected and any changes that can be made to the law to limit improper use.

(b) Said report shall be filed with to the chair and ranking minority member of the house committee on ways and means, the chair and ranking minority member of the senate committee on ways and means, and the clerks of the House of Representatives and senate no later than October 15, 2018.”.

Pending the question on adoption of the amendment, Mr. Lyons asked for a count of the House to ascertain if a quorum was present. A count showed that 87 members were in attendance.

Quorum.

After remarks the amendment was rejected.

Messrs. Lyons of Andover and Lombardo of Billerica then moved to amend the bill by adding the following four sections:

“SECTION 105. Subsection B of section 2 of chapter 18 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by adding the following clause:—

(t) verify that an applicant for benefits through any transitional assistance financial assistance program administered by the department is a United States citizens or lawfully present alien prior to providing any benefits. The department shall register for the systematic alien verification for entitlements program established by the United States Citizenship and Immigration Services and shall use said program to verify an applicant’s eligibility pursuant to this clause.

SECTION 106. Section 3 of chapter 23B of the General Laws, as so appearing, is hereby amended by adding the following subsection:—

(w) verify that an applicant for benefits through any housing program for low and moderate income families administered by the department is a United States citizens or lawfully present alien prior to providing any benefits. The department shall register for the systematic alien verification for entitlements program established by the United States Citizenship and Immigration Services and shall use said program to verify an applicant’s eligibility pursuant to this paragraph.

SECTION 107. Section 2 of chapter 111I of the General Laws, as so appearing, is hereby amended by adding the following paragraph:—

The department of public health shall verify that an applicant for benefits through the WIC program is a United States citizens or lawfully present alien prior to providing any benefits. The department shall register for the systematic alien verification for entitlements program established by the United States Citizenship and Immigration Services and shall use said program to verify a beneficiary’s eligibility pursuant to this paragraph.

SECTION 108. Section 9A of chapter 118E of the General Laws, as so appearing, is hereby amended by adding the following paragraph:—

(17) The division shall verify that a beneficiary is a United States citizens or

lawfully present alien prior to providing any medical benefits through MassHealth. The division shall register for the systematic alien verification for entitlements program established by the United States Citizenship and Immigration Services and shall use said program to verify a beneficiary's eligibility pursuant to this paragraph.”

After remarks the amendment was rejected.

The same members then moved to amend the bill by adding the following section:

“SECTION 105. Chapter 119 of the Massachusetts General Laws, as appearing in the 2014 Official Edition, is hereby amended by adding the following new section 51I:—

51I: (a) A parent or legal guardian shall not be charged with abusing or neglecting a child's need for medical care if:

(i) the parent or legal guardian has sought medical care for the child from a licensed medical or mental health provider;

(ii) the licensed medical or mental health provider has made a diagnosis;

(iii) the licensed medical or mental health provider has prescribed a lawful course of treatment; and

(iv) the parent or legal guardian is following or willing to follow the recommended course of treatment.

(b) No mandatory reporter, as defined in Section 21 of this Chapter, shall file a report of abuse or neglect under Section 51 of this Chapter based solely on a parent's or legal guardian's decision to follow the recommended treatment of a licensed medical or mental health provider. A parent or legal guardian has the right to follow the advice and treatment plan of a licensed medical or mental health provider over a contrary opinion or recommended treatment plan of another licensed medical or mental health provider when the decision does not involve immediate life-threatening conditions. Even in the case of life-threatening conditions, the decision of the parent or legal guardian to follow the advice or treatment plan of a licensed medical or mental health provider shall not be overridden unless there is clear and convincing evidence to the contrary.”

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Lyons of Andover; and on the roll call 30 members voted in the affirmative and 129 in the negative.

[See Yea and Nay No. 44 in Supplement.]

Therefore the amendment was rejected.

After remarks Mrs. O'Connell of Taunton and other members of the House then moved to amend the bill by adding the following four sections:

“SECTION 105. Subsection (a) of section 5I of chapter 18 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after the definition of ‘Access device’, the following definition:

‘Border state’, Connecticut, New Hampshire, New York, Rhode Island or Vermont.

SECTION 106. Said section 5I of said chapter 18 is hereby further amended by inserting after subsection (b) the following subsection:—

(b ½) No person shall knowingly use direct cash assistance funds held on an electronic benefit transfer card or access device in a state other than the commonwealth or a border state. The department shall track, on a monthly basis, the usage of direct cash assistance funds in violation of this subsection. The department shall contact each recipient whose electronic benefit transfer card or access device has been used in violation of this subsection, and shall investigate the violation.

Amendment
rejected,—
yea and nay
No. 44.

SECTION 107: Any eligible recipient of direct cash assistance who knowingly uses direct cash assistance funds held on an electronic benefit transfer card or access device in a state other than the commonwealth or a border state shall be reminded of the prohibition and penalties on out of state spending for the first offense and, for the second offense, shall be disqualified from the direct cash assistance program for a period of 2 months and, for the third offense, shall be disqualified from the direct cash assistance program for six months; provided, however, that the department shall only disqualify an eligible recipient after notice and a hearing pursuant to section 30A.

SECTION 108. The department of transitional assistance shall promulgate rules and regulations to implement the requirements of this act.”

Pending the question on adoption of the amendment, Mr. Kulik of Worthington moved to amend it by adding the following section:

“SECTION 109. Notwithstanding any general or special law to the contrary, the provisions of section, 105, 106, 107 and 108 shall not take effect until such time as the executive office for administration and finance, in conjunction with the executive office of health and human services, has furnished a study of the legislation’s impact on the economy of the commonwealth and its municipalities, including, but not limited to, a distributional analysis of the impact to taxpayers of varying income levels, the current practice of other states, anticipated changes in employment levels and other ancillary economic activity to the joint committee on revenue, and until legislation has been filed and enacted pursuant to Part 2, Chap. 1, Sec. 1, Art. II of the Constitution.”

After remarks on the question on adoption of the further amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Lombardo of Billerica; and on the roll call 124 members voted in the affirmative and 36 in the negative.

[See Yea and Nay No. 45 in Supplement.]

Therefore the further amendment was adopted.

The amendment offered by Mrs. O’Connell, et al, as amended, then also was adopted.

Mr. Dempsey of Haverhill and other members of the House then moved to amend the bill in section 2

In item 1410-0010 by adding the following: “; provided further, that not less than \$150,000 shall be allocated for Heidrea for Heroes; and provided further, that not less than \$85,000 shall be expended for the NEADS Assistance Dogs for Veterans program to train assistance dogs for veterans”; and in said item by striking out the figures: “3,294,629” and inserting in place thereof the figures: “3,529,629”;

In item 1410-0012, in line 4, by inserting after the word “veterans” the following: “; provided, that not less than \$50,000 shall be expended for the Fall River Veterans Center; provided further, that not less than \$30,000 shall be expended for the veterans oral history project; provided further, that not less than \$50,000 shall be expended to the Cape & Islands Veterans Outreach Center for the purpose of the Grace Veterans Program; provided further, that not less than \$100,000 shall be expended for the Veterans Northeast Outreach Center in Haverhill; provided further, that not less than \$124,000 shall be expended for the operation of the Montachusett Veterans Outreach Center women’s housing program; provided further, that not less than \$200,000 shall be expended for Nathan Hale Outreach Centers; provided further, that not less than \$50,000 shall be expended for New England Veterans Liberty House; provided further, that not less than \$500,000 shall be expended to Home Base, for education and training in

Further amendment adopted,—yea and nay No. 45.

Consolidated amendments (social services, veterans and soldiers homes).

veterans' mental and behavioral health issues, including suicide prevention and substance misuse and treatment; and provided further, that not less than \$100,000 shall be expended for the Springfield chapter of NABVET's Veteran's First Outreach Center to provide outreach services to veterans in Hampden county."; and in said item by striking out the figures: "2,902,641" and inserting in place thereof the figures: "4,106,641";

In item 1410-0075 by striking out the figures: "125,000" and inserting in place thereof the figures: "250,000";

In item 1410-0250 by adding the following: "; and provided further, that not less than \$30,000 shall be expended for transitional services at Our Neighbor's Table in the city of Amesbury"; and in said item by striking out the figures: "3,202,655" and inserting in place thereof the figures: "3,232,655";

In item 1410-1616 by adding the following: "; provided further, that not less than \$10,000 shall be expended for the Korean War Memorial in Charlestown's Navy Yard"; and in said item by striking out the figures: "100,000" and inserting in place thereof the figures: "110,000";

In item 4401-1000, in line 12, by inserting after the word "program" the following: "; provided that not less than \$75,000 shall be expended for Ascentria Care Alliance to provide transportation to low-income families through their Good News Garage Ready to Go Service"; and in said item by striking out the figures: "13,598,659" and inserting in place thereof the figures: "13,673,659";

In item 4800-0038 by adding the following: "; provided further that programs in substantial regulatory and contractual compliance shall receive no less than the same level of funding in fiscal year 2018 as received in fiscal year 2017; provided further, that not less than \$140,000 shall be expended for the Suffolk County Children's Advocacy Center; provided further, that not less than \$3,000 shall be expended on Groundwork Lawrence; provided further, that not less than \$25,000 shall be expended on the Methuen Athletic Improvement Committee's Methuen Youth Center Committee; provided further, that not less than \$75,000 shall be expended on the Weymouth Teen Center; provided further, that not less than \$300,000 shall be expended on the Children's Advocacy Center of Bristol County; provided further, that not less than \$50,000 shall be expended for Rick's Place of Wilbraham; provided further, that not less than \$50,000 shall be expended on the planned learning achievement for youth program in Amherst; provided further, that not less than \$100,000 shall be expended for Treehouse Foundation of Easthampton; and provided further, that not less than \$25,000 shall be expended on the North Andover Youth Center"; and in said item by striking out the figures: "292,138,782" and inserting in place thereof the figures: "292,423,782";

By inserting after section 55 the following section:

"SECTION 55A. Section 16 of chapter 130 of the acts of 2005 is hereby amended by striking out the first three paragraphs and inserting in place thereof the following three paragraphs:—

Upon application, as provided in this section, there shall be allowed and paid out of the treasury of the commonwealth, without appropriation, to each person who served in the armed forces of the United States in active service as part of Operation Enduring Freedom, Operation Iraqi Freedom, Operation Noble Eagle, Operation Inherent Resolve, Operation Freedom Sentinel, or any successor or related operation; provided, that such funds shall only be distributed to such an applicant if the person was discharged or released under honorable conditions for such service and if the person resided in the commonwealth for a period of not less than 6 months before entering into the armed forces.

(1) \$1,000 to each such veteran who performed active service outside of the continental limits of the United States for which the veteran qualified for hostile fire or imminent danger pay as determined by the United States Department of Defense.

(2) \$500 to each such veteran who performed active duty within the continental limits of the United States or outside the continental limits of the United States but did not qualify for hostile fire or imminent danger pay as determined by the United States Department of Defense for a period of 6 months or more.”.

On the question on adoption of the consolidated amendments, the sense of the House was taken by yeas and nays, as required under the provisions of House Rule 33F; and on the roll call 157 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 46 in Supplement.]

[Representatives Hay of Fitchburg answered “Present” in response to his name.]

Therefore the consolidated amendments (social services, veterans and soldiers homes) were adopted.

Representatives Straus of Mattapoisett and Peake of Provincetown then moved to amend the bill by adding the following section:

“SECTION 110. The Director of the Division of Marine Fisheries, in consultation with the Commissioner of the Department of Fish and Game, shall conduct a study of the current lobster fishery and provide a recommendation as to the advisability of enacting statutory and or regulatory changes to allow the processing of lobster parts for sale in the commonwealth. The study report and recommendation shall be submitted to the Joint Committee on Natural Resources and Agriculture and the House and Senate Committees on Ways and Means on or before Feb 1, 2018.

The study shall include an economic and market analysis of potential impacts and benefits, assessment of potential state and federal law enforcement issues associated with a change in legislation or regulations, an assessment on the impacts of such changes on inter-jurisdictional fisheries management and a review and analysis of the potential biological and population dynamics of the American lobsters as a result of such changes.”.

The amendment was adopted.

Mr. Straus of Mattapoisett then moved to amend the bill by adding the following section:

“SECTION 111. The General Laws, as appearing in the 2014 Official Edition, are hereby amended by inserting after chapter 40W, the following new chapter:—

Chapter 40X. Supplemental Infrastructure Financing for Transportation.

Section 1. As used in this chapter, the following words shall, unless the context clearly requires otherwise, have the following meanings:—

‘Base date’, the last assessment date of the real property tax immediately preceding the creation of the SIFT district, or any other assessment date designated as the base date in a SIFT agreement.

‘Department’, the Massachusetts Department of Transportation.

‘Financial plan’, a statement of the costs and sources of revenue required to complete construction of the transportation project, which shall include: (1) cost estimates; (2) the projected amount of indebtedness to be incurred by the municipality, the department the Massachusetts Bay Transportation Authority, or a regional transit authority; and (3) any other sources of anticipated capital, including but not limited to any federal funding.

‘Original assessed value’, the aggregate assessed value of all properties within the SIFT district as of the base date.

Consolidated
amendments
adopted,—
yea and nay
No. 46.

‘Secretary’, the secretary of the Massachusetts Department of Transportation.

‘SIFT agreement’, an agreement for supplemental infrastructure financing for transportation entered into by the secretary and a municipality and approved by the municipality in accordance with section 2 authorizing a municipality to collect and remit tax increment revenue in accordance with this chapter.

‘SIFT district’, a specified area within the corporate limits of a municipality as set forth in the SIFT agreement.

‘Tax increment’, all annual increases in the municipality’s limit on total taxes assessed under section 21C(f) of chapter 59 that are attributable to parcels within the district for fiscal years with an assessment date later than the base date. The tax increment shall also include the part of increases in the limit on total taxes assessed allowed under subsection (f) of section 21C of chapter 59 that are attributable to such increases under said subsection in prior years that were part of the increment in such prior years. In any year in which the limit on total taxes assessed under section 21C is lower than the prior year’s limit on total taxes assessed, the tax increment shall be reduced in the same proportion as the limit on total taxes assessed.

‘Transportation project’, any construction project, or any component thereof, undertaken by the Massachusetts Bay Transportation Authority, a regional transit authority or department, including without limitation construction, reconstruction, repair or enhancement of ways or bridges, on-ramps or off-ramps, bikeways or multi-use paths, transit stations, passenger facilities, and rail projects and extensions.

Section 2. (a) The secretary and a municipality may enter into a SIFT agreement; provided, that no municipality may enter into or implement a SIFT agreement unless and until the SIFT agreement has been approved by the municipality in accordance with this section. A SIFT agreement shall include without limitation: (1) a detailed description of the transportation project to be financed in whole or in part by the SIFT agreement, including a financial plan for such project; (2) the boundaries of the SIFT district, including a depiction of the SIFT district on a map of the municipality and a listing of the street addresses and lot numbers of all lots within the SIFT district; (3) estimates of the amount of tax increment revenue to be remitted during the term of the SIFT agreement; (4) the method of calculating the percentage of the tax increment to be remitted together with any provisions for adjustment of the method of calculation; (5) the board or officer of the city or town responsible for calculating the tax increment; (6) any tax increment pledged or otherwise subject to chapter 40Q or section 59 of chapter 40; (7) a statement of the estimated impact of tax increment financing on all taxing jurisdictions in which the SIFT district is located; (8) the term of years of the SIFT agreement; (9) the base date; (10) the date, if any, following which the SIFT agreement must be re-approved by the city or town in accordance with section 2 if a notice to proceed has not been issued by the department or authority with respect to the transportation project; (11) anticipated or known gifts, grants, or private contributions; and (12) the department or authority fund to which the tax increment revenue shall be remitted.

(b) Notwithstanding any general or special law or regulation to the contrary, not less than 30 days prior to any vote required under subsection (c), a municipality shall hold a public hearing regarding the SIFT agreement or amendment thereto and shall provide the public with an opportunity to submit written comments. The municipality shall create a written record of the public hearing, which shall include a description of the testimony offered by persons at such hearing. Not less than 14 days prior to the hearing: (1) public notice of the hearing shall be published in one

or more local newspapers of general circulation and shall be posted in the municipality's main governmental building and on the municipality's web site; and (2) the SIFT agreement or amendment shall be made available by the municipality for inspection and copying.

(c) Notwithstanding any general or special law or regulation to the contrary, a municipality shall approve the SIFT agreement by vote of its town meeting, town council or city council, with the approval of the mayor where required by law; provided, that the term of years, any provision related to calculation of the tax increment, or the boundaries of a SIFT district may only be amended, following approval by the secretary, after meeting the requirements for adoption under this section.

Section 3. (a) Within 60 days following approval of a SIFT agreement in accordance with section 2, the assessor of the city or town shall certify the original assessed value of the taxable property within the boundaries of the SIFT district. Each year after the approval of a SIFT agreement the assessor of the municipality shall certify the amount by which the assessed value has increased or decreased from the original value.

(b) Following approval of a SIFT agreement in accordance with section 2, the municipality shall set aside and remit all tax increment revenues in accordance with the SIFT agreement.

Section 4. The department shall promulgate rules and regulations necessary to implement this chapter, including, without limitation, rules and regulations establishing criteria for evaluating eligible transportation projects.”.

The amendment was adopted.

Ms. Khan of Newton and other members of the House then moved to amend the bill be amended by adding the following section:

“SECTION 112: Section 5 of chapter 18 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out, in lines 71 and 72, the words “and shall have a caseload of not more than 60 recipients.”.

The amendment was adopted.

Mr. Puppolo of Springfield then moved to amend the bill by adding the following section:

“SECTION 113. Section 1A(f) of Chapter 164 of the General Laws as most recently amended by Chapter 75 of the Acts of 2016 is hereby amended in line 6 by deleting the words ‘and are constructed prior to December 31, 2017’ and inserting in place thereof the following words:— and are constructed prior to December 31, 2019.”.

The amendment was adopted.

Mr. Parisella of Beverly then moved to amend the bill by adding the following two sections:

“SECTION 114. Chapter 32 of the General Laws as appearing in the 2014 Official Edition is hereby amended by repealing Section 90G ¾.

SECTION 115. Any member who made an election under G.L. c. 32, s. 90G ¾ prior to the effective date of this act shall have said election maintained after the repeal of said section and no further action need be taken by the member or retirement board.”.

The amendment was adopted.

Ms. Khan of Newton and other members of the House then moved to amend the bill by adding the following section:

“SECTION 116. There shall be a task force on child welfare data reporting. The task force shall develop basic data measures, progress measures, and key

outcome measures that will inform the legislature and the public about the status and demographics of the caseload of the department of children and families, the department's progress in achieving child welfare goals, including safety, permanency, and well-being, the status of Juvenile Court proceedings involving children in the department's caseload, and the status of children who are or have been involved in both the child welfare and juvenile justice systems.

The task force shall develop indicators for measuring outcomes for children and families in the key child welfare domains of safety, permanency and well-being for children, including but not limited to the outcomes of: 1) protecting children from abuse and neglect; 2) safely maintaining children in their own homes whenever possible and appropriate; 3) achieving stability and permanency for children in their living situations; 4) preserving the continuity of family relationships; 5) enhancing families' capacities to provide for their children's needs; 6) ensuring that children receive appropriate services to meet their educational needs; 7) ensuring that children receive services needed to meet their physical and mental health needs; 8) achieving permanency and opportunity for young adults; 9) the department of children and families' complying with timeframes and deadlines for court hearings; and, 10) minimizing the incidence of juvenile justice system involvement for children involved with the department of children and families.

The task force shall also make recommendations to: 1) ensure that new department of children and families' annual, biannual, and quarterly reports include appropriate data measures that are clearly defined, placed in the context of historical or other comparative data when necessary to convey the meaning of the reported data, and include the department's current understanding as to why certain trends may be appearing in the data; 2) eliminate reports that are no longer needed; and, 3) ensure that reports are submitted on time and posted on the department's website. The task force shall also make recommendations about periodic reports from the courts on cases involving children involved with the department of children and families.

Within 30 days of the end of each quarter, the department of children and families shall publish on its website, caseload profile reports, which are currently titled 'Quarterly/Annual Data profiles.

The task force shall be comprised of the following members or their designees: the child advocate who shall serve as co-chair; the commissioner of the department of children and families who shall serve as co-chair, the house and senate chairs of the joint committee on children, families and persons with disabilities; the chief justice of the Juvenile Court; the Massachusetts Law Reform Institute; the Committee for Public Counsel Services; the Children's League of Massachusetts; one member with expertise in child welfare data and outcome measurement to be chosen by the child advocate; and, one member with expertise in the department of children and families' information technology, data collection and reporting systems to be chosen by the commissioner of the department of children and families. The task force shall consult with others with relevant expertise as needed.

The task force shall meet no less than quarterly, and in the first six months of its first year, the full task force or its working groups shall meet no less than monthly. The task force shall report to the general court its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the chairs of the joint committee on children, families and persons with disabilities and the clerk of the senate and the clerk of the house of representatives on or before January 31st of each year. On an annual basis, the task force shall review the adequacy of its indicators and the progress made on its

recommendations, and make further recommendations as needed.”.

The amendment was adopted.

Ms. Khan then moved to amend the bill by inserting after section 58 the following section:

“SECTION 58C. Chapter 431 of the acts of 2014, as amended by section 35 of chapter 119 of the acts of 2015, is hereby amended by striking out, in the last sentence, the words ‘June 30, 2017’ and inserting in place thereof the following words:— December 31, 2018.”.

The amendment was adopted.

Mr. Mariano of Quincy then moved to amend the bill by inserting after section 63 the following section:

“SECTION 63A. (a) Notwithstanding any general or special law to the contrary, facilities licensed pursuant to section 71 of chapter 111 of the General Laws which were constructed on or before March 19, 1968, shall be subject to the construction and equipment requirements for long-term care facilities specified in 105 CMR 150.017 (B)(1) through 105 CMR 150.017(16)(e) and codified in the Code of Massachusetts Regulations effective January 1, 2017; provided, that new construction, conversions, alterations, additions or other structural changes in a proposed or existing facility shall conform to the department’s most current standards of construction.

(b) For facilities licensed pursuant to said section 71, resident rooms must accommodate no more than 4 persons; provided, however, that for such facilities that receive approval of construction or reconstruction plans by the department of public health or local authorities for plans directly impacting resident rooms or that are newly certified for participation in the Medicare or Medicaid programs on or after November 29, 2016, resident rooms must accommodate no more than 2 residents; provided, that any limitation to the number of residents accommodated in resident rooms under this section shall only apply to those rooms directly impacted by the construction or reconstruction.

(c) Notwithstanding the foregoing, the department of public health shall not enact resident room requirements that are more restrictive than the requirements specified in the federal requirements of participation for states and long term care facilities pursuant to chapter 42 of the Code of Federal Regulations Part 483.”.

The amendment was adopted.

Mr. Cassidy of Brockton then moved to amend the bill by adding the following section:

“SECTION 117. Section 1A(f) of Chapter 164 of the General Laws is hereby amended in line 6 by striking out the following ‘and are constructed prior to December 31, 2017’ and inserting in place thereof the following:— and are constructed prior to December 31, 2019.”.

The amendment was adopted.

Mr. Carvalho of Boston then moved to amend the bill by adding the following section:

“SECTION 118. There shall be a special legislative commission established pursuant to section 2A of chapter 4 of the General Laws to investigate and study the feasibility of establishing a Cape Verdean cultural center in the city of Boston. The commission shall consist of: 1 member of the House of Representatives, who shall serve as co-chair; 1 member of the Senate, who shall serve as co-chair; 1 member appointed by the governor; 1 member appointed by the mayor of Boston; and up to 7 additional members, who shall be selected by the co-chairs, provided that there shall be an odd number of commissioners.

The commission shall investigate and study various methods for establishing a Cape Verdean cultural center in the city of Boston, including, but not limited to, the creation of a non-profit organization to oversee the construction and management of the cultural center; and shall consider the costs of each method.

All appointments to the commission shall be made no later than October 1, 2017. The commission shall report its findings, including any proposed legislation, to the clerks of the House of Representatives and the Senate no later than April 1, 2018.”.

The amendment was adopted.

Mr. Collins of Boston and other members of the House then moved to amend the bill by adding the following section:

“SECTION 119: (a) Any contract issued for services in the Commonwealth of Massachusetts or any political subdivision therein that receives appropriated funds from the legislature of the Commonwealth of Massachusetts shall at a minimum employ 10% of individuals hired within that contract be individuals with disabilities.

(b) Such services shall include but not be limited to janitorial and custodial services, landscaping services, mailroom services, food services, fleet management, manufacturing, trash removal, document destruction, electronic scanning of documents, and facility management services including but not limited to HVAC Services, Painting, Emergency Repair Series, and Snow Removal.

(c) For the purposes of this act, an individual with a disability will be defined as; someone (i) who has a severe physical or mental impairment which seriously limits one or more functional capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills) in terms of an employment outcome; (ii) someone whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period of time; and (iii) someone who has one or more physical or mental disabilities resulting from amputation, arthritis, autism, blindness, burn injury, cancer, cerebral palsy, cystic fibrosis, deafness, head injury, heart disease, hemiplegia, hemophilia, respiratory or pulmonary dysfunction, mental retardation, mental illness, multiple sclerosis, muscular dystrophy, musculo-skeletal disorders, neurological disorders (including stroke and epilepsy), paraplegia, quadriplegia, and other spinal cord conditions, sickle cell anemia, specific learning disability, end-stage renal disease, or another disability or combination of disabilities determined on the basis of an assessment for determining eligibility and vocational rehabilitation to cause comparable substantial functional limitation.

(d) The SDO (Supplier Diversity Office) shall, in consultation with the Massachusetts Office on Disability, oversee, monitor and insure compliance with the aforementioned provision.”.

The amendment was adopted.

Mr. Donahue of Worcester then moved to amend the bill in section 49, in line 592, by striking out the word “disability.” and inserting in place thereof the following “disability; an employer is required to make contributions to a multiemployer plan under a collective bargaining agreement (CBA).”; and the amendment was adopted.

Mrs. Ferguson of Holden and other members of the House then moved to amend the bill by adding the following two sections:

“SECTION 120. Section 56D of chapter 164 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out, in line 3, the figure ‘\$25,000’ and inserting in place thereof the following figure:— \$50,000.

SECTION 121. Said section 56D of said chapter 164, as appearing in the 2014 Official Edition, is hereby further amended by striking out, in line 5, the figure ‘\$25,000’ and inserting in place thereof the following figure:— \$50,000.”.

The amendment was adopted.

Mrs. O’Connell of Taunton and other members of the House then moved to amend the bill by adding the following section:

“SECTION 122. The governor shall annually issue a proclamation setting apart the first Saturday and Sunday following Thanksgiving Day as Small Business Weekend, and recommend that said weekend be observed by the people in an appropriate manner.”.

After remarks the amendment was rejected.

Mr. Lyons of Andover and other members of the House then moved to amend the bill by adding the following section:

“SECTION 122. (a) MassHealth expenditures from the Executive Office of Health and Human Services and related Commonwealth agencies including the Massachusetts Health Connector shall not exceed 30% of any general appropriations act and supplemental budget appropriations for any fiscal year beginning with fiscal year 2018; provided that any such appropriations shall continue to fund all required MassHealth programs that serve individuals with disabilities, seniors, pregnant mothers, individuals with breast or cervical cancer, individuals who are HIV positive, and all those eligible individuals who are at or below the federal poverty level.

(b) Chapter 118E is hereby amended by adding the following section:—

Section 78. On or before March 30 of each year, the secretary shall apply to the federal Centers for Medicare and Medicaid Services for a waiver or amendment to a current waiver pursuant to section 1115 of the federal Social Security Act, 42 USC Section 1315, to allow the commonwealth to require the following:

(a) no employee who is offered subsidized health insurance coverage by his employer shall be eligible for any healthcare program funded by the commonwealth; and

(b) to institute a work requirement for all able-bodied adults receiving any health care services funded by the commonwealth. The work requirement shall:

(1) require an eligible person to:

(i) become employed,

(ii) actively seek employment, which would be verified by the division, or (iii) attend a job training program;

(2) require an eligible person to verify on a monthly basis compliance with requirements of subdivision (1) of this paragraph and any change in family income;

(3) require the administration to confirm an eligible person’s change in family income as reported pursuant to subdivision (2) of this paragraph and determine the person’s eligibility under this article;

(4) allow the administration to ban an eligible person from enrollment for 1 year if the eligible person failed to report a change in family income or made a false statement regarding compliance with the requirements of subdivision (1) of this paragraph.; and

(5) allow for an exemption if a person meets any of the following conditions:

(i) is at least 18 years of age but is still attending high school as a full-time student;

(ii) is the sole caregiver of a family member who is under 5 years of age; or

(iii) is currently receiving temporary or permanent long-term disability benefits from a private insurer or the government.

Upon the approval of such waiver pursuant to section 1115 of the federal Social Security Act, 42 USC Section 1315, for any of the requirements of this section, the secretary shall take all actions necessary to implement the requirements of this section.

(c) Chapter 176Q of the General Laws is hereby amended by adding the following section:—

Section 19. On or before March 30 of each year, the board shall apply to the federal Centers for Medicare and Medicaid Services for a waiver or amendment to a current waiver pursuant to section 1115 of the federal Social Security Act, 42 USC Section 1315, to allow the commonwealth to require that no employee who is offered subsidized health insurance coverage by an employer shall be eligible for a healthcare program funded by the commonwealth.

Upon the approval of such waiver pursuant to section 1115 of the federal Social Security Act, 42 USC Section 1315, the board shall take all necessary actions to implement subsection (a).”.

After remarks the amendment was rejected.

The same members then moved to amend the bill by adding the following nine sections:

“SECTION 122. As used in sections 1 to 8, the following words shall have the following meanings unless the context clearly requires otherwise:

‘MassHealth’, the Medicaid and the Children’s Health Insurance Programs are combined into one program named MassHealth which is administered by the Executive office of Health and Human Services.

‘Control board’, the MassHealth fiscal and management control board.

‘Department’, the Executive office of Health and Human Services.

‘Secretary’, the Secretary of Health and Human Services

SECTION 123. (a) There shall be within the department and reporting to the secretary a control board.

(b) The control board shall consist of 5 members to be appointed by the governor, 1 member of the Department, 1 of whom shall have experience in healthcare insurance and 1 of whom shall have experience in healthcare operations, and 2 at discretion of the Governor. Each member shall serve for the entire time that the control board exists unless removed with or without cause by the governor. Any vacancy in the control board shall be filled in the same manner as the original appointment of the member being replaced. The secretary shall designate the chair of the control board, and may fix annual time and expense reimbursements of not more than \$6,000 to be paid to members of the control board from funds of the department. The control board shall meet as regularly as necessary to ensure the stability of authority operations and finances but not less than 3 times per month.

(c) Notwithstanding sections 3 and 7 of chapter 161A of the General Laws or any other general or special law to the contrary, the control board shall be afforded all powers, responsibilities and obligations relative to the department that are vested in the board, except as otherwise provided in this act, and those powers, responsibilities and obligations set forth in this act.

(d) Meetings of the control board shall be subject to sections 18 to 25, inclusive, of chapter 30A of the General Laws. Records of the control board shall be subject to section 10 of chapter 66 of the General Laws.

(e) The control board may employ, retain and supervise managerial, professional and clerical staff as may be necessary to carry out its responsibilities. The control board may set the compensation, terms and conditions of employment of its staff. Staff hired under this subsection shall be employees of the department

except employees that the control board formally designates as independent contractors; provided, however, that the independent contractors shall be treated as executives under section 26 of said chapter 161A.

(f) The control board shall initiate and assure the implementation of appropriate measures to secure the fiscal, operational and managerial stability of the authority and shall continue in existence until June 30, 2020 and thereafter for an additional period of 2 years upon the recommendation by the control board to the governor in writing based upon specific findings that such 2-year period is in the best interest of the public and necessary to achieve operational stability and establish performance metrics for the authority; provided, however, that the recommendation shall be approved in writing by the governor not later than June 30, 2020; and provided further, that the control board shall in no event continue beyond June 30, 2022. The recommendations and findings by the control board, if any, and the governor's approval, if any, shall be filed with the clerks of the house of representatives and senate, the chairs of the house and senate committees on ways and means.

SECTION 124. (a) The control board may delegate any powers, responsibilities and obligations specifically afforded to it to the Secretary of Health and Human Services unless otherwise provided in this act.

(b) The Secretary or Assistant Secretary for MassHealth shall at least monthly provide the control board with information on the status of the revenues and expenses for the operating budget and on the status of revenues, contracting, procurement and authorized and actual spending for the capital program and changes to eligibility for MassHealth program. The Secretary shall at least quarterly provide the control board with data on progress toward achieving key performance management targets. The reports shall be submitted to the secretary of administration and finance, the clerks of the house of representatives and senate, the chairs of the house and senate committees on ways and means.

SECTION 125. (a) The control board shall formulate and recommend a plan to the secretary to stabilize and strengthen the finances, management, operations and asset condition of MassHealth. The control board shall develop performance metrics and measure items included in the plan. The plan shall: (i) provide a safe, reliable and sustainable Medicaid and the Children's Health Insurance Programs; (ii) establish fiscal stability, including short-term and long-term planning to ensure that the departments budgets are aligned to not exceed 30% of that state budget; (iii) facilitate sound management (iv) develop a financially responsible, long-range approach to preserving and modernizing the MassHealth program edibility and finding ways to reducing the per person cost of care.

SECTION 126. In addition to those powers otherwise provided in this act, the control board may: (i) establish separate operating and capital budgets each with clearly designated revenue sources and uses and establish policies and procedures to ensure that no funds are commingled between operating and capital budgets; (ii) establish 1-year and 5-year operating budgets beginning with fiscal year 2019, which are balanced primarily through a combination of internal cost controls, operation improvements, and eligibility requirement changes; (iii) establish a rigorous performance management system and performance metrics and targets that address, among other things, increasing revenues from non-disable participants and those participants earning above the federal poverty level; (iv) review any contract for the provision of services entered into by the department, including contracts entered into before the establishment of the fiscal and management control board, including, but not limited to, healthcare providers, insurance companies, hospitals, urgent care facilities, medial offices, technology providers, outsourced

administration, and amend those contracts, as necessary, in accordance with their terms; and (v) establish, increase, or decrease any fee, rate, or charge for any service, license or activity within the scope of the authority subject to and consistent with subsection (d) of section 61 of chapter 46 of the acts of 2013.

SECTION 127. Notwithstanding any general or special law to the contrary, the control board may: (i) reorganize or consolidate departments, divisions or entities of the authority, in whole or in part; (ii) establish any new departments, divisions, or entities as it considers necessary; and (iii) transfer the duties, powers, functions and appropriations of 1 department, division or entity, to another. Any reorganization or consolidation that affects the department shall not be effective unless approved by the Secretary of Health and Human Services and the Secretary of Administration and Finance.

SECTION 128. The control board shall provide updates to the Secretary of Health and Human Services and the Secretary of Administration and Finance not less than once per month.

SECTION 129. (a) Within 60 days after all of the members of the control board have been appointed, the control board shall submit a preliminary report to the secretary, the secretary of administration and finance, the clerks of the house of representatives and senate, and the chairs of the house and senate committees on ways and means. The report shall include a preliminary analysis of and management plans to address MassHealth's rising costs and operating inefficiencies

(b) Annually, not later than December 15, the control board shall report on MassHealth's own source revenue, operating budget, capital plan and progress toward meeting performance metrics and targets to the secretary, the secretary of administration and finance, the clerks of the house of representatives and senate, the house and senate chairs of the house and senate committees on ways and means. The report shall include an update on the authority's progress in: (i) establishing separate operating and capital budgets each with clearly designated revenue sources and uses and establish policies and procedures to ensure that no funds are commingled between operating and capital budgets; (ii) establishing 1-year and 5-year operating budgets beginning with fiscal year 2019, which are balanced primarily through a combination of internal cost controls, operation improvements, and eligibility requirement changes; (iii) establishing a rigorous performance management system and performance metrics and targets that address, among other things, increasing revenues from non-disable participants and those participants earning above the federal poverty level; (iv) reviewing any contract for the provision of services entered into by the department, including contracts entered into before the establishment of the fiscal and management control board, including, but not limited to, healthcare providers, insurance companies, hospitals, urgent care facilities, medial offices, technology providers, outsourced administration, and amending those contracts, as necessary, in accordance with their terms; and (v) establishing, increase, or decrease any fee, rate, or charge for any service, license or activity within the scope of the authority subject to and consistent with subsection (d) of section 61 of chapter 46 of the acts of 2013.

SECTION 130. Notwithstanding any other section of this act, no existing rights of the holders of bonds, notes and other financing obligations issued by or on behalf of the authority under chapter 161A of the General Laws shall be impaired and nothing in this act shall be construed to alter or grant the power to alter existing agreements securing the bonds or other obligations, hedge agreements or investment contracts pertaining thereto, other than in accordance with their terms. The authority shall maintain the covenants and agreements of the trust agreements, bond

resolutions and other instruments pertaining to such bonds and other obligations secured thereunder so long as such bonds and other obligations shall remain outstanding. The control board shall not control and shall not have the power to alter or otherwise impair the trust imposed in the third paragraph of subsection (a) of section 35T of chapter 10 of the General Laws and shall not have the power to alter or otherwise impair the other commonwealth covenants set forth in said third paragraph of said subsection (a) of said section 35T of said chapter 10. The commonwealth hereby re-affirms such trust and other covenants.”.

After debate the amendment was rejected.

Mr. Lyons and other members of the House then moved to amend the bill by adding the following three sections:

“SECTION 122. Section 9A of chapter 118E of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting after paragraph (8) the following paragraph:—

(8 ½) In addition to premiums and copayments established by paragraph (8), the division shall establish a fee on each MassHealth health insurance plan to be paid by the beneficiary household, except a beneficiary household with an income equal to or less than the federal poverty level.

The fee due pursuant to this section shall be assessed on sliding scale commensurate with beneficiary household income levels; provided, that the total amount that shall be collected by the division from all beneficiaries, except beneficiaries with an income equal to or less than the federal poverty level shall be an amount equal to the number of MassHealth beneficiaries with an income above the federal poverty level multiplied by \$2,000.

The division shall calculate the fee due from each beneficiary household by creating 6 beneficiary household income levels: (i) beneficiary households with an income greater than the federal poverty level but less than 133 per cent of the federal poverty level; (ii) beneficiary households with an income not less than 133 per cent of the federal poverty level but less than 150 per cent of the federal poverty level; (iii) beneficiary households with an income not less than 150 per cent of the federal poverty level but less than 200 per cent of the federal poverty level; (iv) beneficiary households with an income not less than 200 per cent of the federal poverty level but less than 300 per cent of the federal poverty level; (v) beneficiary households with an income not less than 300 per cent of the federal poverty level but less than 400 per cent of the federal poverty level; and (vi) beneficiary households with an income not less than 400 per cent of the federal poverty level.

SECTION 123. Said chapter 118E is hereby further amended by adding the following section:—

Section 78. On or before March 30 of each year, the secretary shall apply to the federal Centers for Medicare and Medicaid Services for a waiver or amendment to a current waiver pursuant to section 1115 of the federal Social Security Act, 42 USC Section 1315, to allow the commonwealth to require the following: (a) no employee who is offered subsidized health insurance coverage by his employer shall be eligible for any healthcare program funded by the commonwealth; and (b) to institute a work requirement for all able-bodied adults receiving any health care services funded by the commonwealth. The work requirement shall: (1) require an eligible person to: (i) become employed, (ii) actively seek employment, which would be verified by the division, or (iii) attend a job training program; (2) require an eligible person to verify on a monthly basis compliance with requirements of subdivision (1) of this paragraph and any change in family income; (3) require the administration to confirm an eligible person's change in family income as reported

pursuant to subdivision (2) of this paragraph and determine the person's eligibility under this article; (4) allow the administration to ban an eligible person from enrollment for 1 year if the eligible person failed to report a change in family income or made a false statement regarding compliance with the requirements of subdivision (1) of this paragraph.; and (5) allow for an exemption if a person meets any of the following conditions: (i) is at least 18 years of age but is still attending high school as a full-time student; (ii) is the sole caregiver of a family member who is under 5 years of age; or (iii) is currently receiving temporary or permanent long-term disability benefits from a private insurer or the government.

Upon the approval of such waiver pursuant to section 1115 of the federal Social Security Act, 42 USC Section 1315, for any of the requirements of this section, the secretary shall take all actions necessary to implement the requirements of this section.

SECTION 124. Chapter 176Q of the General Laws is hereby amended by adding the following section:—

Section 19. On or before March 30 of each year, the board shall apply to the federal Centers for Medicare and Medicaid Services for a waiver or amendment to a current waiver pursuant to section 1115 of the federal Social Security Act, 42 USC Section 1315, to allow the commonwealth to require that no employee who is offered subsidized health insurance coverage by an employer shall be eligible for a healthcare program funded by the commonwealth.

Upon the approval of such waiver pursuant to section 1115 of the federal Social Security Act, 42 USC Section 1315, the board shall take all necessary actions to implement this section.”.

Pending the question on adoption of the amendment, Mr. Lyons asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Donato of Medford), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 156 members were recorded as being in attendance.

Quorum.

Quorum,—
yea and nay
No. 47.

[See Yea and Nay No. 47 in Supplement.]

Therefore a quorum was present.

After remarks (Mr. Wagner of Chicopee having taken the Chair) the amendment was rejected.

Mr. Dempsey of Haverhill and other members of the House then moved to amend the bill in section 2

In item 4000-0005, in line 10, by inserting after the year: “2017” the following: “; provided further, that not less than \$25,000 shall be expended to Springfield Partners, Inc. for the AWAKE program in Springfield, to provide comprehensive youth development and violence prevention services to at-risk youth”; and in said item by striking out the figures: “6,000,000” and inserting in place thereof the figures: “6,025,000”;

Consolidated
amendments
(health and
human services
and elder
affairs).

By inserting after item 4000-0005 the following item:

“4000-0007 For housing and supportive services for unaccompanied youth pursuant to section 16X of chapter 6A of the General Laws; provided that not less than \$40,000 shall be expended for the Y2Y homeless shelter in Cambridge; and provided further, that the secretary of health and human services shall report to the house and senate committees on ways and means not later than March 1, 2018 on: (a) the number of youths served through this

item; (b) the types of services received by participating youths; (c) the number of youths who transition into stabilized housing and the zip code of the stabilized housing; (d) the number of youths who remain in stabilized housing after 90 days, when applicable; (e) other quantifiable data related to client outcomes as determined by the secretary; (f) the number of youths turned away from the program; and (g) the amount of funding awarded to vendors for the delivery of services and the names of each vendor.....\$540,000”;

By striking out item 4000-0300 and inserting in place thereof the follow item:
“4000-0300

For the operation of the executive office of health and human services, including the operation of the managed care oversight board; provided, that the executive office shall provide technical and administrative assistance to agencies under the purview of the secretariat receiving federal funds; provided further, that the executive office shall monitor the expenditures and completion timetables for systems development projects and enhancements undertaken by all agencies under the purview of the secretariat and shall ensure that all measures are taken to make such systems compatible with one another for enhanced interagency interaction; provided further, that the executive office shall ensure that any collaborative assessments for children receiving services from multiple agencies within the secretariat shall be performed within existing resources; provided further, that funds appropriated in this item shall be expended for administrative and contracted services related to the implementation and operation of programs under chapter 118E of the General Laws; provided further, that all applications, application information, service information and guidelines, in electronic form, paper form and on the website, for MassHealth and MassHealth related programs shall be made available in both classical and traditional Chinese translations; provided further, that the executive office and its agencies, when contracting for services on the islands of Martha’s Vineyard and Nantucket, shall take into consideration the increased costs associated with the provision of goods, services and housing on said islands; provided further, that not less than \$25,000 shall be expended to contract with Martha’s Vineyard Community Services, Inc. for the purpose of increasing access to health and human services on Martha’s Vineyard and Nantucket; provided further, that in consultation with the center for health information and analysis, no rate increase shall be provided to existing Medicaid provider rates without taking all measures possible under Title XIX of the Social Security Act, as codified at 42 U.S.C. chapter 7, subchapter XIX to ensure that rates of payment to providers shall not exceed the rates that are necessary to meet only those costs which shall be incurred by efficiently and economically operated providers in order to provide services of adequate quality; provided further, that funds may be expended for the operation of the office of health equity within the executive

office of health and human services; provided further, that no expenditures, whether made by the executive office or another commonwealth entity, shall be made that are not federally reimbursable, including those related to Titles XIX or XXI of the Social Security Act, as codified at 42 U.S.C. chapter 7, subchapters XIX or XXI, the MassHealth demonstration waiver under section 1115(a) of the Social Security Act, as codified at 42 U.S.C. section 1315(a), or the community first demonstration waiver under section 1115 of the Social Security Act, as codified at 42 U.S.C. section 1315, except as required for: (a) the equivalent of MassHealth standard benefits for children under 21 years of age who are in the care or custody of the department of youth services or the department of children and families; (b) dental benefits provided to clients of the department of developmental services who are 21 years of age or over; (c) for managed care capitation payments for any MassHealth members who are residents of Institutions for Mental Disease for more than 15 days in any calendar month, and otherwise as explicitly authorized; or (d) cost containment efforts, the purposes and amounts of which have been submitted to the executive office for administration and finance and the house and senate committees on ways and means 30 days before making these expenditures; provided further, that in calculating rates of payment for children enrolled in MassHealth receiving inpatient and outpatient services at acute care pediatric hospitals and pediatric specialty units as defined in section 8A of said chapter 118E, the executive office shall make a supplemental payment not less than \$14,800,000 to any acute care pediatric hospital and pediatric specialty unit in the commonwealth, above base rates, to compensate for high-complexity pediatric care; provided further, that not less than \$250,000 shall be expended for the Brookline Community Mental Health Center, Inc. to expand the healthy lives program; provided further, that the executive office of health and human services may continue to recover provider overpayments made in the current and prior fiscal years through the Medicaid management information system, and these recoveries shall be considered current fiscal year expenditure refunds; provided further, that the executive office may collect directly from a liable third party any amounts paid to contracted providers under said chapter 118E for which the executive office later discovers another third party is liable if no other course of recoupment is possible; provided further, that no funds shall be expended for interpretive services directly or indirectly related to a settlement or resolution agreement with the office of civil rights or any other office, group or entity; provided further, that interpretive services currently provided shall not give rise to enforceable legal rights for any party or to an enforceable entitlement to interpretive services; provided further, that notwithstanding any general or special law to the contrary, the commissioner of mental health shall approve any prior authorization or other restriction on medication used to

treat mental illness under written policies, procedures and regulations of the department of mental health; provided further, that funds shall be provided in an amount not less than the total appropriated in item 1599-2009 in section 2 of chapter 182 of the acts of 2008; provided further, that the executive office of health and human services shall report to the house and senate committees on ways and means not later than January 13, 2018 on the number of members served in the dual eligible initiative, the average expenditure per member, the average expenditure per member prior to the demonstration project and the number of clients that receive care at skilled nursing facilities; provided further, that the executive office shall submit a report not later than December 1, 2017 to the house and senate committees on ways and means and the joint committee on health care financing detailing utilization in fiscal year 2017 of the Health Safety Net Trust Fund established in section 66 of said chapter 118E; provided further, that the report shall include: (a) the number of persons whose medical expenses were billed to the Health Safety Net Trust Fund; (b) the total dollar amount billed to the Health Safety Net Trust Fund; (c) the age, income level, and insurance status of recipients using the Health Safety Net Trust Fund; (d) the types of services paid for out of the Health Safety Net Trust Fund; and (e) the amount disbursed from the Health Safety Net Trust Fund to each hospital and community health center; provided further, that the office of Medicaid shall coordinate with the health policy commission in the development of care delivery and payment models in the MassHealth program, including patient-centered medical homes and accountable care organizations, in order to ensure alignment of such models with the commission's certification programs under sections 14 and 15 of chapter 6D of the General Laws; provided further, that any unexpended balance in these accounts shall revert to the General Fund on June 30, 2018; provided further, that not later than January 18, 2018, the executive office of health and human services shall submit a report to the house and senate committees on ways and means detailing the methodology used to project caseload and utilization in fiscal year 2017 and fiscal year 2018; provided further, that the executive office of health and human services, in consultation with the department of transitional assistance, shall report to the joint committee on ways and means, the joint committee on health care financing, and the joint committee on children, families and persons with disabilities, no later than January 1, 2018, on the feasibility of offering MassHealth applicants or recipients the opportunity to complete a common application for MassHealth and for programs administered by the department of transitional assistance, including the federal Supplemental Nutrition Assistance Program, the Program for Emergency Aid to Elders, Disabled and Children pursuant to chapter 117A and the Program for Transitional Assistance to Families with Dependent Children pursuant to chapter 118; and provided

further, that MassHealth shall establish a direct phone number for court employees who serve participants of specialty courts to use in contacting MassHealth regarding enrollment and other benefits' issues for participants and MassHealth shall notify the specialty courts administrator with the direct contact number and other pertinent information within 30 days after the effective date of this item.....\$103,777,734”;

By striking out item 4000-0700 and inserting in place thereof the following item:

“4000-0700

For health care services provided to medical assistance recipients under the executive office’s health care indemnity or third party liability plan, to medical assistance recipients not otherwise covered under the executive office’s managed care or senior care plans and for MassHealth benefits provided to children, adolescents and adults under section 9 of chapter 118E of the General Laws and clauses (a) to (d), inclusive, and clause (h) of subsection (2) of section 9A of said chapter 118E and section 16C of said chapter 118E; provided, that no payments for special provider costs shall be made from this item without the prior written approval of the secretary of administration and finance; provided further, that no funds shall be expended from this item for children and adolescents under clause (c) of said subsection (2) of said section 9A of said chapter 118E whose family incomes as determined by the executive office exceed 150 per cent of the federal poverty level; provided further, that children who have aged out of the custody of the department of children and families shall be eligible for benefits through the age limit specified in MassHealth’s approved state plan; provided further, that funds shall be expended from this item for members who qualify for early intervention services; provided further, that funds may be expended from this item for health care services provided to recipients in prior fiscal years; provided further, that the funds appropriated in item 4000-0265 of section 2A of chapter 142 of the acts of 2011 shall again be appropriated for the same dollar amount as in said item 4000-0265 and shall be distributed in and managed in the same manner as designated in section 60 of chapter 118 of the acts of 2012; provided further, that MassHealth shall expend not less than an additional \$13,000,000 in the aggregate for acute care hospitals that have greater than 63 percent of their gross patient service revenue from governmental payers and free care as determined by the executive office of health and human services; provided further, that in fiscal year 2018 MassHealth shall maintain the same level of federally-optional chiropractic services that were in effect in fiscal year 2016 that were included in its state plan or demonstration program in effect on January 1, 2002 for members enrolled in the primary care clinician (PCC) program; provided further, that not less than \$1,000,000 shall be made available to establish a 1-year pilot program to increase

efficiencies and align system-wide goals within a regional hospital system located in Western Massachusetts to improve the overall sustainability of the system and to create a comprehensive approach to system-wide needs and a transition into the structure of the new 1115 Medicaid Waiver; provided further, that the pilot program will include measurable milestones that shall demonstrate progress in at least 1 of the following areas: (a) care coordination, integration and delivery transformations; (b) electronic health records and information exchange advancements; (c) increasing alternative payment methods and accountable care organizations; (d) enhancing patient safety; (e) increasing access to behavioral health services; (f) increasing coordination between system hospitals and community-based providers and organizations; and (g) preparing the system to undertake risk as a potentially designated ACO; provided further, that the executive office shall not, in fiscal year 2018, fund programs relating to case management with the intention of reducing length of stay for neonatal intensive care unit cases; provided further, that notwithstanding this item, funds may be expended from this item for the purchase of third-party insurance including, but not limited to, Medicare for any medical assistance recipient; provided further, that the executive office may reduce MassHealth premiums or copayments or offer other incentives to encourage enrollees to comply with wellness goals; provided further, that funds may be expended from this item for activities relating to disability determinations or utilization management and review, including patient screenings and evaluations, regardless of whether such activities are performed by a state agency, contractor, agent or provider; provided further, that not later than March 1, 2018 the executive office shall report to the house and senate committees on ways and means on: (a) dental coverage available to MassHealth recipients as of January 1, 2018 as it compares to dental coverage available to MassHealth recipients on January 1, 2010; (b) utilization of dental services in fiscal year 2017 and fiscal year 2018; (c) the actual and projected costs and revenue associated with dental coverage in fiscal year 2017 and fiscal year 2018; (d) the estimated cost effectiveness of dental coverage as a contributor to MassHealth total cost of care; and (e) a schedule to include within its covered services for adults at least those federally optional services for dental care and dentures which were included in its state plan in effect on January 1, 2010 and the accompanying cost of implementation; and provided further, that the executive office shall maintain full-year coverage for adult dental fillings and adult denture coverage.....\$2,664,848,930”;

In item 4000-1700 by striking out the figures: “125,223,292” and inserting in place thereof the figures: “127,723,292”;

In item 9110-1636 by striking out the figures: “29,207,918” and inserting in place thereof the figures: “29,457,918”;

In item 9110-1660 by adding the following: “; provided, that not less than

\$642,000 shall be expended for providers of naturally occurring retirement communities with whom the department of elder affairs entered into service agreements within fiscal year 2017 at proportions of total available funding equal to those provided in fiscal year 2017”; and in said item by striking the figures: “1,427,880” and inserting in place thereof the figures: “2,069,880”;

By striking out item 9110-1700 and inserting in place thereof the following item:

“9110-1700 For assessment, placement and homelessness prevention services for homeless and at-risk elders.....
“\$261,000”;

In item 9110-1900 by adding the following: “; and provided further, that not less than \$750,000 shall be expended for home delivered meals”; and in said item by striking out the figures: “6,507,795” and inserting in place thereof the figures: “7,257,795”;

By striking out item 9110-9002 and inserting in place thereof the following item:

“9110-9002 For grants to the councils on aging and for grants to or contracts with non-public entities which are consortia or associations of councils on aging; provided, that notwithstanding the foregoing, all monies appropriated in this item shall be expended in accordance with the distribution schedules for formula and incentive grants established by the secretary of elder affairs; provided further, that no less than \$25,000 shall be expended on a grant for the Quincy department of elder affairs; provided further, that no less than \$25,000 shall be expended on the West Brookfield Senior Center; provided further, that no less than \$25,000 shall be expended on the Norwell Council on Aging; provided further, that not less than \$50,000 shall be expended on the Seekonk Senior Center; provided further, that not less than \$75,000 shall be expended on the Whipple senior center of Weymouth; provided further, that \$25,000 shall be expended on the South Boston Neighborhood House; provided further, that no less than \$100,000 shall be expended on the Dedham Council on Aging; provided further, that no less than \$150,000 shall be expended on the Arlington senior center; provided further, that not less than \$25,000 shall be expended on the West Brookfield senior center; provided further, that not less than \$15,000 shall be expended on the Carver council on aging; provided further that not less than \$15,000 shall be expended on the Billerica Friends of the council on aging; and provided further, that the distribution schedules shall be submitted to the house and senate committees on ways and means not later than February 15, 2018.....\$14,555,000”;

By inserting after section 40 the following section:

“SECTION 40A. Said chapter 111 is hereby amended by inserting after section 51J, the following new section:—

Section 51L. For the purposes of this section, the following terms shall have the following meanings:—

‘Home Care Worker’ means any person employed by a home care aide agency to provide home health, homemaker, personal care, companion, or chore services.

‘Home Care Aide Agency’ means an entity providing designated and approved home care program services under contract with an Aging Services Access Point as defined in section 4B of chapter 19A as appearing in the 2014 Official Edition.

‘Home Care Worker Registry’ means the registry established under this section.

The department, subject to appropriation and in consultation with the executive office of elder affairs, shall establish a home care worker registry of all individuals currently employed by a home care aide agency. A home care aide agency shall only hire or employ on a paid, unpaid, temporary or permanent basis, a home care worker who is listed in said registry as having completed all required certifications and trainings.

The registry shall also contain specific documented findings, in accordance with this section, by any department within the executive office of health and human services of patient or resident abuse, mistreatment, neglect or misappropriation of patient or resident property involving an individual listed on the registry. All home care aide agencies shall contact the registry prior to hiring an employee to ascertain if there is a finding of patient or resident abuse, mistreatment, neglect or misappropriation of patient or resident property. In the case of inquiries to the registry, any information disclosed concerning a finding of patient or resident abuse, mistreatment, neglect or misappropriation of patient or resident property shall also include a disclosure of any statement in the registry relating to the finding or a clear and accurate summary of any such statement. No home care aide agency shall hire an individual whose name appears in the registry with an adjudicated finding of patient or resident abuse, mistreatment, neglect or misappropriation of patient or resident property if that individual is under a suspension or termination imposed by the department under the terms of this section.

The department shall make a finding as to the accuracy of allegations of patient or resident abuse, mistreatment, neglect or misappropriation of patient or resident property after providing notice to the home care worker of the allegation and a reasonable opportunity for a hearing for the individual to rebut such allegations. If the department finds that a home care worker abused, mistreated or neglected a patient or resident or misappropriated patient or resident property, the department shall notify the home care worker and the home care aide agency of that finding. The department shall not make a finding that an individual has neglected a patient or resident if the individual demonstrates that such neglect was caused by factors beyond the control of the individual. Upon making a finding of patient or resident abuse, mistreatment, neglect or misappropriation of patient or resident property, the department may suspend the right of such individual to work as a home care worker. The department shall include the terms of any such suspension in the registry and no home care aide agency shall hire that individual until the suspension has been served to its completion.

If the individual is charged with and convicted of a crime arising out of a report of abuse, the department shall terminate the individual’s ability to work as a home care worker; provided, however, that if an individual’s finding of guilt is overturned on appeal, the individual may appeal to the department to overturn the termination. If a case is continued without a finding, the department may suspend an individual’s ability to work as a home care worker and shall make such a finding on the record to that effect after notice to that individual and an opportunity to appeal; provided, however, that a case continued without a finding shall appear in the registry as part of the registrant’s record for not less than the length of probation or sanction imposed on the individual by the court.

A home care worker who is subject to a suspension or termination shall not offer services, whether publicly or privately funded, as a caregiver or in another direct service capacity to persons with a physical, intellectual or developmental disability, a mental illness or to children or elderly persons. An individual in violation of this paragraph shall be subject to a fine, as determined by the department.

The home care worker registry shall include, but not be limited to, the following information concerning each home care worker: (i) full legal name; (ii) current home address; (iii) date of birth; (iv) employers full legal name; (v) job title; and (vi) an updated list of home care trainings and/or certifications completed by the home care worker.

The department shall require the registry information for each employed home care worker to be submitted and regularly updated by each home care aide agency subject to the provisions of this subsection. A home care aide agency shall collect and maintain the required information for each employed home care worker and shall promptly submit updated information whenever such information changes. No charges shall be imposed on any person or entity for any costs related to the registry.

Persons employed as a home care worker by a home care aide agency on the effective date of this section shall be registered not later than 12 months after the effective date of this statute. The registry shall be updated at least quarterly.

The registry shall be sufficiently and promptly accessible to meet the needs of the public. Upon request, information in the home care worker registry shall be made available to home care workers and home care aide agencies. The department shall include security mechanisms in the registry to implement and maintain a record of accessing or obtaining information from the registry.

The department shall make any such additional rules and regulations as are reasonably necessary to implement the provisions of this subsection.”.

After remarks on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, as required under the provisions of House Rule 33F; and on the roll call 158 members voted in the affirmative and 1 in the negative.

[See Yea and Nay No. 48 in Supplement.]

Therefore the consolidated amendments (health and human services and elder affairs) were adopted.

The Speaker being in the Chair,—

Mr. Goldstein-Rose of Amherst then moved to amend the bill by inserting, after section 74A (inserted by amendment) the following section:

“SECTION 74B. There shall be established a special commission to study the feasibility, administration, and economic impact of a battery testing facility, located in one of the four western counties of the commonwealth. The commission shall consist of: the house and senate chairs of the joint committee on economic development and emerging technologies, or their designees, who shall serve as chairs of the commission; the commissioner of the department of energy resources, or a designee; the chief executive officer of Massachusetts clean energy center, or a designee; and the chancellor of the University of Massachusetts Amherst campus, or a designee. The commission shall seek input and involvement from various public and private entities in the state with expertise or capacity related to battery technologies, clean energy, manufacturing, or engineering. The commission shall submit any recommendations to the clerks of the house of representatives and senate on or before February 1, 2018.”.

After remarks the amendment was adopted.

Consolidated
amendments
adopted,—
yea and nay
No. 48.

Recess.

At twenty-six minutes after six o'clock P.M. (Tuesday, April 25), the Speaker declared a recess until a quarter before eight o'clock; and at five minutes before eight o'clock the House was called to order with Mr. Galvin of Canton in the Chair.

Mr. Crighton of Lynn then moved to amend the bill by inserting after section 26 the following section:

"SECTION 26A. The General Laws are hereby amended by inserting after chapter 40W, the following chapter:—

Chapter 40X. Community Benefit Districts

Section 1. As used in this chapter, the following words shall have the following meanings unless the context clearly requires otherwise:

'Community benefit district' or 'CBD', a contiguous geographic area with clearly defined boundaries, formed pursuant to this chapter.

'CBD corporation', the nonprofit corporation designated to receive funds and otherwise implement the CBD, including the board of directors, officers and any employees.

'CBD fee', a payment for services or improvements specified by the initial management plan and any management plan.

'Initial management plan', the strategic and operating plan for the CBD as approved by the municipal governing body as part of the creation of the CBD.

'Management plan', any subsequent, updated version of the initial management plan that is approved by the board of directors.

'Memorandum of understanding with the municipality' or 'MOU', a document which describes the standard government services and supplemental services to be provided within the CBD and how the municipality will participate in the CBD as a property owner and member.

'Municipal governing body', the city council or board of aldermen in a city or the board of selectmen or town council in a town.

'Petition signer', a property owner, or their designee, within the CBD who affirmatively signs the petition to establish the CBD.

'Property', real property located within the CBD, whether commercial, tax exempt or residential.

'Property owner', the owner of record of property; provided, however, that when a property is owned by an entity other than a natural person, a petition signer for that property shall include the petition-signer's title and shall demonstrate its authority to sign as owner; and provided further, that if a property is owned by multiple persons, the signature of 1 owner shall be sufficient if that owner demonstrates authority to sign on behalf of the other owners.

'Standard government services', governmental functions, programs, activities, facilities, improvements and other services that a municipality is authorized to perform or provide and that are paid for out of the municipal government budget.

'Supplemental services', the provision of programs, public rights of way services, activities, amenities or information in addition to the standard governmental services provided to the CBD.

Section 2. The rights and powers of a CBD corporation in a CBD approved by the municipal governing body pursuant to section 4 shall include: retaining or recruiting business; administering and managing central and neighborhood business districts; promoting economic development; managing parking; designing, engineering, constructing, maintaining or operating buildings, facilities, urban streetscapes or infrastructures to further economic development and public purposes; conducting historic preservation activities; leasing, owning, acquiring, or optioning real property; owning and managing parks, public spaces and community

facilities; supplementing maintenance, security, or sanitation; planning and designing services; formulating a fee structure; accumulating interest; incurring costs or indebtedness; entering into contracts; suing and being sued; employing legal and accounting services; undertaking planning, feasibility and market analyses; developing common marketing and promotional activities; engaging in placemaking, programming, and event management within the district; soliciting donations, sponsorships and grants; operating transit services; and supporting public art, human and environmental services related to the enhancement of the district or other supplemental services or programs that would further the purposes of this chapter.

Section 3. The organization of a CBD shall be initiated by a petition of the property owners within the proposed CBD, which shall be filed in the office of the clerk of the municipality and contain the following:

(i) the signatures of the property owners, including participating tax-exempt entities, or petition signers in the proposed district who support the establishment of the district and who will pay more than 50 per cent of the assessments proposed to be levied; provided, however, that the amount of the assessment attributable to property owned by the same property owner that is in excess of 20 per cent of the amount of all assessments proposed shall not be included in the calculation or, alternatively, if there are not more than 4 property owners in the proposed district, all such property owners shall sign the petition;

(ii) a description of and a site map delineating the boundaries of the proposed CBD;

(iii) the identity and address of the CBD corporation, including its initial set of directors and officers and a copy of its by-laws;

(iv) an initial management plan, which shall set forth the supplemental services and programs, vision, strategy, budget and fee structures proposed for the CBD;

(v) the criteria for waiving the fee for any property owner within the CBD who can provide evidence that the imposition of such a fee would create a significant financial hardship; and

(vi) a staffing plan, which may include private nonprofit, for profit or public agency contractors or subcontractors.

A petition may include a mechanism for reimbursing the municipality for the costs incurred in establishing the CBD, and for costs incurred in collecting the district fees. A copy of the petition shall be filed with the undersecretary of housing and community development and the secretary of housing and economic development not more than 30 days following receipt of the petition by the clerk of the municipality.

Section 4. (a) The municipal governing body shall hold a public hearing not more than 60 days following receipt of the petition by the clerk of the municipality. Written notification of the hearing shall be sent to each property owner within the boundary of the proposed CBD not more than 30 days before a hearing by mailing notice to the address listed in the property tax records. Notification of the hearing shall be published for 2 consecutive weeks in a newspaper of general circulation in the area, the last publication being not less than 14 days before the hearing and listed on the municipality's website. The public notice shall contain the proposed boundaries of the CBD, the proposed fee level, a summary of supplemental programs and services and where the property owner may obtain a full copy of the initial management plan.

(b) Prior to the public hearing, the municipal governing body shall direct the town clerk, city clerk or a designee to determine that the establishment criteria have

been met, as set forth in section 3. In determining whether a signature is authentic, the clerk shall apply the same standard used when certifying signatures for a petition to place a referendum on a local or state ballot.

(c) Not more than 45 days after the public hearing, a municipal governing body, in its sole discretion, may, by vote of the city council with approval of the mayor in a city and by vote of the board of selectmen in a town, declare the district organized and describe the boundaries and service area of the district; provided, however, that in a town with a population of not more than 10,000, the district shall not be declared organized without a vote by the board of selectmen and a town meeting. The declaration shall include authorization to municipal staff to enter into an agreement with the CBD corporation with respect to operations and funding consistent with the approved initial management plan. Upon such declaration, the CBD may commence operations.

(d) Notice of the declaration of the organization of the CBD shall be mailed or delivered to each property owner within the proposed CBD. The notice shall explain that membership in the CBD is irrevocable unless the CBD is dissolved pursuant to section 10 and shall include a description of the basis for determining the district fee, the projected fee level and the services to be provided within the CBD. Such notice shall be published for 2 consecutive weeks in a newspaper of general circulation in the area, the last publication being not more than 30 days after the vote to declare the district organized.

(e) Participation in the CBD shall be permanent unless the CBD is dissolved pursuant to section 10. All property owners shall contribute in accordance with fee structures based upon the benefits anticipated to be received, as outlined in the initial management plan.

Section 5. (a) Each CBD corporation shall have a not for profit board of directors that shall oversee its operations to insure the implementation of the initial management plan and any management plan. At least 51 per cent of the board shall be composed of property owners, which may include participating tax-exempt property owners, or their designees; and the remaining members may be a balanced group of stakeholders representing the community, including residents, municipal government, business tenants and nonprofits.

(b) The initial management plan shall be updated at least once every 3 years by the CBD board of directors and a copy thereof shall be mailed, emailed or delivered to each CBD member and filed with the municipal governing body.

(c) The CBD corporation shall comply with the public charity reporting requirements of section 8F of chapter 12.

Section 6. All real property located within a proposed CBD shall be considered in the fee formula for supplemental services and programs as outlined in the initial management plan, except that any residential property with a homeowner eligible for a property tax exemption established by statute, or local ordinance or bylaw, shall not be charged a fee for participating in the district.

Tax-exempt property owners in the district shall not be required to pay assessment fees, but may elect to do so. Tax-exempt property owners may also enter into a Memorandum of Agreement with the district management entity in lieu of, or to supplement, monetary payments, and which may include such contributions as: space for events, loans of equipment or vehicles, volunteers or volunteer management, staff time, programs and services to the community, or any other contribution deemed appropriate to support implementation of the district management plan.

The CBD corporation, at its sole discretion, may grant a financial hardship

waiver to any property owner, pursuant to the waiver criteria established within the CBD. A waiver is not intended to be permanent and shall be requested and granted on an annual basis, and shall be based upon temporary, extraordinary circumstances. The CBD corporation may also, at its discretion, approve in-kind contributions or services in addition to, or in lieu of, fees upon execution of a memorandum of agreement with a property owner.

Section 7. Upon formal approval of a CBD, the municipal governing body shall adopt the district fee structure for the financing of items submitted in the initial management plan for the CBD; provided, however, that the total fees assessed in any 1 year may not exceed 1/2 of 1 per cent of the sum of the assessed valuation of the real property owned by participating members in the CBD district. The basis of a district fee may be determined by a formula utilizing at least 1 or a combination of the following methodologies:

- (i) different levels for varying classifications of real property;
- (ii) benefit zones;
- (iii) assessed valuation;
- (iv) building or parcel square footage;
- (v) street frontage; or
- (vi) any other formula which meets the objectives of the CBD.

The CBD, through its management plan, shall have the option to limit or cap the maximum annual fee derived from individual properties or the total annual revenue generated by the CBD.

The initial management plan may also propose a 'phase-in' period of not more than 3 years, with assessments increasing over the stated period. The formula for determining the district fee structure shall be set forth in the original petition as required by section 3.

The CBD may change the formula or the assessment level set forth in the initial management plan or management plan by majority vote of its board of directors, ratified by vote of 2/3 of the property owners that are members in the CBD. Within 30 days after amendment of the formula or assessment level, the CBD shall file notice of the changes with the municipal governing body, the undersecretary of housing and community development and the secretary of housing and economic development. In addition to receiving funds from the district fee, the CBD corporation may receive grants, donations, revenues generated from parking fees, CBD activities or gifts on behalf of the CBD.

Section 8. The collector or treasurer of the municipality may collect district fees in designated CBDs and disburse the funds to the CBD corporation. In addition to the items identified in section 3A of chapter 60, the collector or treasurer may include notices for district fees in the envelope or electronic message in which a property bill is sent. District fees collected shall be used solely to fund items to further the goals identified and approved in the initial management plan for the CBD. The collector or treasurer shall disburse fee revenues to the CBD corporation not later than 30 days after the collection of such fees, together with any interest earned on those fees.

Following establishment of the CBD, all fees billed by or on behalf of the CBD and unpaid after 30 days from the date of billing shall become a lien on the property, which shall have priority over all other liens except municipal liens and mortgages of record prior to the recording of a notice of lien, if notice of the lien is duly recorded by the CBD corporation in the appropriate registry of deeds or land court registry district.

Section 9. At any time after the establishment of a CBD pursuant to this

chapter, the district boundaries upon which the establishment was based may, upon the recommendation of the CBD corporation, be amended by the municipal governing body after compliance with the procedures set forth in this section.

The CBD corporation shall prepare a petition, consistent with the criteria described in section 3; provided, however, that if the petition concerns an amendment to expand the district, the petition shall be accompanied by signatures of the property owners who are required to pay more than 50 per cent of the assessments in the expanded area. If the petition concerns an amendment to reduce the size of the district, it shall be accompanied by signatures of the property owners who are required to pay more than 50 per cent of the assessments levied in the existing district. The municipal governing body shall hold a public hearing not more than 60 days after its receipt of a petition to amend the district boundaries. In the case of an expansion petition, written notification of the hearing shall be sent to each property owner within the proposed expansion area of the CBD not more than 30 days before the hearing, by mailing notice to the address listed in the property tax records. In the case of a reduction petition, the notice shall be sent to each property owner in the existing district. For either an expansion or reduction petition, notification of the hearing shall also be published for 2 consecutive weeks in a newspaper of general circulation in the area with the last publication being not more than 14 days before the hearing and shall be listed on the municipality's website. For an expansion petition, the public notice shall contain the proposed expanded boundaries of the CBD, the fee level, a summary of supplemental programs and services, and where the property owner may obtain a full copy of the management plan. For a reduction petition, the public notice shall contain the proposed reduced boundaries of the CBD and any changes in the fee level, supplemental programs and services or other material aspects of the management plan that will occur as a result of the boundary change. Not more than 30 days after the hearing, and upon determination by the city or town clerk, or designee, that the petition has met the necessary criteria, the municipal governing body, in its sole discretion, may by a vote declare the district boundaries amended. Upon the adoption of an amendment to the district boundaries which increases the size of the district, owners of property to be added to the district shall be notified of the new boundaries of the district in accordance with section 4.

Section 10. A CBD may be dissolved by a majority vote by its board of directors, ratified by a two-thirds vote of the property owners; provided, however, that the amount of the assessment attributable to property owned by the same property owner that is in excess of 20 per cent of the amount of all assessments proposed shall not be included in the calculation; provided, however, that no CBD shall be dissolved until it has satisfied or paid in full all of its outstanding indebtedness, obligations and liabilities; until funds are on deposit and available therefore or until a repayment schedule has been formulated and municipally approved. Upon dissolution, the CBD shall not incur any new or increased financial obligations. Any liabilities, either current or future, incurred as a result of action to accomplish the purposes of the management plan shall not be an obligation of the municipality. Liabilities shall be paid for entirely from revenue gained from the project or facilities authorized, or from the fees on the properties in the CBD.

Upon the dissolution of a CBD, any remaining revenues derived from the sale of assets acquired with fees collected shall be refunded to the property owners in the CBD by applying the same formula used to calculate the fee in the fiscal year in which the CBD is dissolved. Nothing in this section shall prevent the filing of a subsequent petition for a similar CBD.”.

The amendment was adopted.

Ms. Peake of Provincetown then moved to amend the bill by inserting after section 9 the following section:

“SECTION 9B. Chapter 10 of the General Laws, as appearing in the 2014 official edition, is hereby amended by inserting after section 35DDD the following section:—

Section 35FFF. (a) There shall be established and set up on the books of the commonwealth a Nickerson State Park Trust Fund to be used, without further appropriation, for the long-term preservation and maintenance of Nickerson State Park in the town of Brewster. Any balance in the fund at the end of a fiscal year shall not revert to the General Fund but shall remain available for expenditure in subsequent fiscal years. No expenditure made from the fund shall cause the fund to become deficient at any point during a fiscal year.

(b) The department of conservation and recreation shall impose a surcharge of \$2 upon each fee charged and collected for admission to camping in Nickerson State Park. The additional monies collected from the surcharge shall be deposited into the Nickerson State Park Trust Fund.

(c) An annual report, which shall include projects undertaken, expenditures made, and income received by the fund, shall be submitted to the clerks of the house of representatives and the senate and to the house and senate committees on ways and means not later than December 31 of each year.”.

The amendment was adopted.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by adding the following section:

“SECTION 122. Notwithstanding any general or special law to the contrary, there shall be a special commission established to study and develop a statewide financial literacy program on personal financial management to be offered to senior citizens in the Commonwealth. The commission shall be overseen by the Office of Elder Affairs and the Office of Health and Human Services in conjunction with the Office of the State Treasurer. The focus of the commission will be to provide a universal program for the purpose of teaching senior citizens how to best manage their personal finances, maintain their financial independence, and avoid financial exploitation. The course shall include materials on the use of computers and smart phones relative to personal financial management and shall assist participating senior citizens in the program on how to best utilize technology to aid to their personal financial management.

The commission shall consist of the house and senate chairs of the joint committee on elder affairs, who shall be the co-chairs; the house and senate chairs of the joint committee on education or their designees; the speaker of the house of representatives or a designee; the president of the senate or a designee; the house minority leader or a designee; the senate minority leader or a designee; the state treasurer or a designee; the secretary of the executive office of elder affairs or a designee; the secretary of health and human services or a designee; 2 representatives of the Council on Aging; and 2 residents of the Commonwealth who are 65 years or older.

The commission shall submit its finalized proposal for the senior financial literacy program, along with any recommendations, to the house and senate committees on ways and means, the joint committee on elder affairs, the joint committee on education and the clerks of the house of representatives and the senate by February 1, 2018.”.

The amendment was adopted.

Mr. Kuros of Uxbridge and other members of the House then moved to amend the bill by adding the following section:

“SECTION 123. Notwithstanding any special or general law there shall be a special commission to study the alternatives and develop recommendations to broaden the availability of naloxone without prescription, including but not limited to recommendations on the standing order process, the collaborative practice agreement process, and/or legislative recommendations.

The special commission shall consist of: the secretary of health and human services or their designee, who shall serve as chair; the commissioner of the division of insurance or their designee; three members to be appointed by the governor, which shall include: one person who is a prescribing physician, one person who is a stakeholder within a retail pharmacy company, and one member of the general citizenry impacted by the opiate epidemic; two members of the House of Representatives, one of whom to be appointed by the minority leader; two members of the Senate, one of whom to be appointed by the minority leader; the director of the board of pharmacy or their designee; the director of the bureau of substance abuse services or their designee; provided, however, that the first meeting of the commission shall take place not later than January 1, 2018.

The special commission shall submit its recommendations, together with drafts of any legislation, to the clerks of the House of Representatives and the Senate, the chairs of the joint committee on mental health and substance abuse not later than May 1, 2018.”.

The amendment was adopted.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by adding the following section:

“SECTION 124. Notwithstanding any general or special law to the contrary, there shall be a special task force to review and report on the economic impact of loan forgiveness programs to ensure that college graduates stay, work, and build businesses in Massachusetts. The task force shall consist of 13 members: the house and senate chairs of the joint committees on economic development and emerging technologies and higher education or their designees, who shall serve as the co-chairs of the task force; a member of the general court appointed by the senate minority leader; a member of the general court appointed by the house minority leader; the executive director of the Massachusetts Workforce Development Board, or a designee; the executive director of the Massachusetts Technology Collaborative, or a designee; and 5 persons to be appointed by the secretary of labor and workforce development, 1 of whom shall be an employee of the commonwealth in the office of the secretary of labor and workforce development, 2 of whom shall be selected from a list of 5 persons nominated by the Massachusetts Business Roundtable, and 2 of whom shall be selected from a list of 5 persons nominated by the chancellor of the university of Massachusetts.

This task force shall: (i) identify and review the state laws, regulations, and administrative directives that prescribe loan forgiveness; (ii) identify the key labor sectors that would best benefit from grants and fellowships within the commonwealth; and (iii) develop recommendations to establish legislative procedures to provide funding, regulate, and grant loan forgiveness to eligible applicants.

The task force shall submit a report, including any draft legislation and regulations, to the clerks of the house and representatives and the senate within 12 months of the passage of this act.”.

The amendment was adopted.

The same members then moved to amend the bill by adding the following section:

“SECTION 125. There shall be established an employee vacation and earned sick leave credit task force to study and make recommendations on establishing a uniform state policy regarding the cash out of vacation and sick leave credits applicable to employees of the commonwealth who are in positions that are not subject to collective bargaining agreements. The task force shall be comprised of the following 11 members or their designees: the secretary of administration and finance who shall serve as chair; the administrator of the trial court; the colonel of state police; the chair of the board of higher education; 1 person to be appointed by the speaker of the house of representatives; 1 person to be appointed by the senate president; 1 person to be appointed by the minority leader of the house of representatives; 1 person to be appointed by the minority leader of the senate; and 3 persons to be appointed by the governor, 1 of whom shall have experience in labor law.

The task force shall study and make recommendations on establishing the following uniform policies and shall examine the practices of neighboring states: (i) rate of accrued sick leave; (ii) cash out of sick leave credit upon retirement; (iii) payment of sick leave credits upon the death of an employee; and (iv) transfer of sick leave credits from other political subdivisions of the commonwealth. In addition, the task force shall study the feasibility of establishing an extended illness leave bank for all employees of the commonwealth.

The task force shall convene not later than 30 days after the effective date of this act and shall file its recommendations with the clerks of the house of representatives and senate not later than December 31, 2017.”.

The amendment was adopted.

Representatives Ferguson of Holden and Zlotnik of Gardner then moved to amend the bill by inserting after section 52 the following two sections:

“SECTION 52A. Section 19 of chapter 138 of the General Laws as appearing in the 2014 Official Edition, is hereby amended by inserting, in line 1, before the words ‘The Commission’, the following:— (a).

SECTION 52B. Said section 19 of said chapter 138 as so appearing is hereby further amended by inserting at the end thereof, the following subsection:—

(b) Notwithstanding section 17, a local licensing authority, subject to the approval of the commission, may grant a license to sell alcoholic beverages for consumption on the manufacturer’s premises to a manufacturer authorized to manufacture alcoholic beverages pursuant to this section; provided, however, that such licensees may sell for on-premises consumption alcoholic beverages produced by the manufacturer.”.

The amendment was adopted.

Messrs. Jones of North Reading and Dwyer of Woburn then moved to amend the bill by adding the following section:

“SECTION 126. Section 67A of chapter 33 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting at the end thereof the following:—

If a fallen service member from the commonwealth who qualifies for the medal of liberty has no surviving spouse, children, siblings, or parents, their next closest surviving relative, including but not limited to any nephews or nieces, shall be eligible for the medal of liberty.”.

The amendment was adopted.

Mr. Cantwell of Marshfield then moved to amend the bill by adding the

following section:

“SECTION 127. Chapter 176D of the General Laws is hereby amended by inserting after section 3B the following section:—

Section 3C. (a) As used in this section, the following words shall have the following meanings, unless the context clearly requires otherwise:—

‘Ambulance service provider’, a person or entity licensed by the department of public health pursuant to section 6 of chapter 111C to establish or maintain an ambulance service.

‘Emergency ambulance services’, emergency services that an ambulance service provider may render under its ambulance service license when a condition or situation in which an individual has a need for immediate medical attention or if the individual, bystander or emergency medical services provider perceives the potential for the need for immediate medical attention.

‘Insurance policy’ and ‘insurance contract, any policy, contract, agreement, plan or certificate of insurance issued, delivered or renewed within the commonwealth that provides coverage for expenses incurred by an insured for transportation services rendered by an ambulance service provider.

‘Insured’, an individual entitled to ambulance services benefits pursuant to an insurance policy or insurance contract.

‘Insurer’, a person as defined in section 1 of chapter 176D; any health maintenance organization as defined in section 1 of chapter 176G; a non-profit hospital service corporation organized under chapter 176A; any organization as defined in section 1 of chapter 176I that participates in a preferred provider arrangement also as defined in said section 1 of said chapter 176I; any carrier offering a small group health insurance plan under chapter 176J; any company as defined in section 1 chapter 175; any employee benefit trust; any self-insurance plan, and any company certified under section 34A of chapter 90 and authorized to issue a policy of motor vehicle liability insurance under section 113A of chapter 175 that provides insurance for the expense of medical coverage.

(b) In any instance in which an ambulance service provider provides an emergency ambulance service to an insured, but is not an ambulance service provider under contract to the insurer maintaining or providing the insured’s insurance policy or insurance contract, the insurer maintaining or providing such insurance policy or insurance contract shall pay the ambulance service provider directly and promptly for the emergency ambulance service rendered to the insured. Such payment shall be made to the ambulance service provider notwithstanding that the insureds insurance policy or insurance contract contains a prohibition against the insured assigning benefits thereunder so long as the insured executes an assignment of benefits to the ambulance service provider and such payment shall be made to the ambulance service provider in the event an insured is either incapable or unable as a practical matter to execute an assignment of benefits under an insurance policy or insurance contract pursuant to which an assignment of benefits is not prohibited, or in connection with an insurance policy or insurance contract that contains a prohibition against any such assignment of benefits. An ambulance service provider shall not be considered to have been paid for an emergency ambulance service rendered to an insured if the insurer makes payment for the emergency ambulance service to the insured. An ambulance service provider shall have a right of action against an insurer that fails to make a payment to it pursuant to this subsection.

(c) With the exception of non-profit corporations licensed to operate critical care ambulance services that perform both ground and air transports, payment to an ambulance service provider under subsection (b) shall be at a rate equal to the rate

established by the municipality from where the patient was transported.

(d) An ambulance service provider receiving payment for an ambulance service in accordance with subsections (b) and (c) shall be deemed to have been paid in full for the ambulance service provided to the insured, and shall have no further right or recourse to further bill the insured for said ambulance service with the exception of coinsurance, co-payments or deductibles for which the insured is responsible under the insureds insurance policy or insurance contract.

(e) No term or provision of this section 3C shall be construed as limiting or adversely affecting an insureds right to receive benefits under any insurance policy or insurance contract providing insurance coverage for ambulance services. No term or provision of this section 3C shall create an entitlement on behalf of an insured to coverage for ambulance services if the insureds insurance policy or insurance contract provides no coverage for ambulance services.”.

The amendment was adopted.

Mrs. Haddad of Somerset being in the Chair,—

Messrs. Lyons of Andover and Lombardo of Billerica then moved to amend the bill by adding the following section:

“SECTION 128. Notwithstanding the provisions of any general or special law to the contrary, no state tax dollars shall be expended on any organization, or its affiliates, that is found to be in violation of Chapter 112, section 12J of the Massachusetts General Laws”.

After remarks the amendment was rejected.

Mr. Lyons of Andover then moved to amend the bill by adding the following section:

“SECTION 128. (a) Notwithstanding any general or special law to the contrary, Chapter 334 of the Acts of 2016 is repealed.”.

Mr. Cusack of Braintree thereupon raised a point of order that the amendment offered by the gentleman from Andover was improperly before the House for the reason that it was in violation of the Order, previously adopted by the House, relative to special procedures for consideration of the General Appropriation Bill for the fiscal year 2018 (House, No. 3599, amended).

The Chair (Mrs. Haddad of Somerset) ruled that the point of order was well taken; and the amendment was laid aside accordingly.

Mr. Lyons thereupon appealed from the decision of the Chair; and the appeal was seconded by Mr. Lombardo of Billerica.

The question then was put “Shall the decision of the Chair stand as the judgment of the House?”.

After remarks the sense of the House then was taken by yeas and nays, at the request of Mr. Lyons; and on the roll call 124 members voted in the affirmative and 34 in the negative.

[See Yea and Nay No. 49 in Supplement.]

Therefore the decision of the Chair was sustained.

After remarks Mr. Dempsey of Haverhill and other members of the House moved to amend the bill in section 2

In item 4510-0110 by adding the following: “; provided further, that not less than \$50,000 be expended to continue the Mattapan Integrative Care Partnership Pilot Program among the Mattapan Community Health Center, Mattahunt Community Center, Mattahunt Elementary School, and the Wheelock College Social Work Department to continue a second year of having a Behavioral Health Practice at the Mattapan Community Health Center and support a full-time licensed social worker to bring mental health care to the community’s youth and to improve

Point of
order.

Appeal from
decision of
Chair.

Decision
of Chair
sustained,—
yea and nay
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(public health).

the coordination of care; provided further, that not less than \$100,000 shall be expended for the operation of the South Boston Community Health Center, Inc. and its youth ambassador program and South Boston leadership initiative; provided further, that no less than \$175,000 shall be expended for the continuation of a comprehensive substance abuse and narcotic use reduction program at a federally qualified community health center located in South Boston; and provided further, that not less than \$125,000 shall be expended towards the North End Waterfront Neighborhood Health Center for the purpose of operations and maintenance of treating substance abuse”; and in said item by striking out the figures: “692,354” and inserting in place thereof the figures: “1,142,354”;

In item 4510-0600 by adding the following: “; provided further, that not less than \$35,000 be allocated to the town of Halifax for testing and treatment of cyanobacteria and related contaminants in Monponsett Pond; provided, that not less than \$25,000 shall be expended to the Silent Spring Institute, Inc.”; and in said item by striking out the figures: “3,738,322” and inserting in place thereof the figures: “3,798,322”;

In item 4510-0810 by striking out the figures: “4,728,855” and inserting in place thereof the figures: “4,828,855”;

In item 4512-0103 by striking out the figures “29,334,416” and inserting in place thereof the figures: “30,334,416”;

By striking out item 4512-0106 and inserting in place thereof the following item:

“4512-0106 For the department of public health, which may expend not more than \$7,500,000 from revenues received from pharmaceutical manufacturers participating in the section 340B rebate program of the Public Health Service Act, administered by the federal Health Resources and Services Administration and the Office of Pharmacy Affairs, for activities eligible through the Ryan White Program, with priority given to the human immunodeficiency virus and acquired immune deficiency syndrome drug assistance program; provided, that any excess rebate revenue collected beyond the ceiling of this appropriation will be deposited in the general fund; provider further, that services in an amount equivalent to the amount deposited in the general fund be funded through the 4512-0103 appropriation; and provided further, that these services shall include activities that would be eligible for coverage through the Ryan White Program. Notwithstanding any general or special law to the contrary, the department of public health may make expenditures from the start of each fiscal year from this account in anticipation of receipt of rebate revenues from pharmaceutical manufacturers.....7,500,0000”;

In item 4512-0200, in line 25, by inserting after the word “beds;” the following: “; provided further, that not less than \$50,000 will be used for a public safety opioid overdose follow-up program in the city of Fall River; provided further, that not less than \$250,000 shall be expended for a federally qualified community health center with a 24 hours a day, 7 days a week emergency department licensed as a satellite emergency facility under 105 CMR 130; providing further, that not less than \$20,000 shall be expended to The Psychological Center in Lawrence toward the Daybreak Shelter; provided further, that not less than \$50,000 shall be expended for the substance abuse coalition in the city known as the Town of Franklin;

provided further, that programs in substantial regulatory and contractual compliance shall receive not less than the same level of funding in fiscal year 2018 as received in fiscal year 2017; provided further, that not less than \$50,000 shall be expended on the Methuen Police Department Community Addiction Resource Engagement Services (C.A.R.E.S) Initiative; provided further, that no less than \$150,000 shall be expended to the town of Braintree for Braintree's Community Partnership on Substance Abuse; provided further, that not less than \$10,000 shall be expended for Haven of Hope for community outreach and services in Methuen and Lawrence; provided further that not less than \$20,000 shall be expended for the Merrimack Valley Prevention and Substance Abuse Project toward resources, community outreach and programs in Methuen, Lawrence, Haverhill and North Andover; provided further that \$50,000 shall be made available for the purchasing of Narcan and public safety equipment upgrades for the police and fire personnel in the Town of Wakefield; provided further, that not less than \$50,000 shall be expended to The Psychological Center in Lawrence toward the Pegasus House residential treatment facility; provided further, that not less than \$50,000 shall be expended for the New Beginnings program that targets youth at risk and in recovery in collaboration with school districts; provided further, that not less than \$150,000 shall be expended for Self Esteem Boston's direct service and provider training programs; provided further, that not less than \$25,000 shall be expended to fund substance misuse and mental health treatment on Nantucket administered by the town of Nantucket; provided further, that no less than \$150,000 shall be expended to Harbor Health Services for a grant program to prevent and treat addiction to opioid and related substances; provided further, that not less than \$25,000 be expended for the establishment of a substance abuse treatment clinic in Shrewsbury for veterans operated by Veterans Inc., to be staffed by licensed mental health providers; provided further, that not less than \$200,000 shall be expended for Project RIGHT's substance abuse/trauma prevention initiative in the Grove Hall area of Boston; provided further, that not less than \$150,000 shall be expended for the operation of the Behavioral Health and Outpatient Substance Abuse Services to provide counseling and treatment for individuals suffering from behavioral health challenges and/or substance abuse at the Dimock Community Center; provided further, that not less than \$100,000 shall be expended for the purchase and renovation of an opiate recovery treatment facility of Into Action Recovery, Inc; provided further, that not less than \$50,000 shall be expended for the Milford Police Department and the Juvenile Advocacy Group to maintain a regional substance abuse outreach and intervention program in the Greater Milford area; provided further, that no less than \$25,000 shall be expended for the Merrimack Valley Safety Youth Center in the City of Lawrence; provided further, that not less than \$200,000 shall be expended to the Berkshire County Youth Development Project for youth intervention services; provided further, that not less than \$100,000 shall be expended to the Charlestown Coalition for substance use and recovery services; provided further, that not less than \$50,000 shall be expended for The Boston Ten Point Coalition substance abuse and trauma prevention initiative in the Roxbury area of Boston; provided further, that \$50,000 shall be expended for the City of Revere's Substance Use Disorder Initiatives"; and in said item by striking out the figures: "131,700,888" and inserting in place thereof the figures: "133,750,888";

By striking out item 4513-1000 and inserting in place thereof the following item:

"4513-1000 For the provision of family health services; provided, that not less than \$5,551,509 shall be expended for comprehensive family

planning services, including HIV counseling and testing, community-based health education and outreach services provided by agencies certified as comprehensive family planning agencies; provided further, that the department shall ensure that services will be made available to patients who had access to services in the previous fiscal year; provided further, that the department may seek third party funding for services provided in this line item; provided further, that not less than \$100,000 shall be expended for the program's critical congenital heart defects screening activities; and provided further, that funds may be expended for the Massachusetts birth defects monitoring program.....\$5,751,509";

In item 4513-1026, in line 6, by inserting after the word "affairs;" the following: "; provided further, that \$50,000 shall be expended for The Samaritans of Fall River/New Bedford, Inc."; and in said item by striking out the figures: "4,140,051" and inserting in place thereof the figures: "4,230,748";

In item 4513-1098 by adding the following: "; and provided further, that not less than \$100,000 shall be expended for the Massachusetts Survivors of Homicide Victims Network organizations"; and in said item by striking out the figures: "100,000" and inserting in place thereof the figures: "200,000";

In item 4513-1111 by adding the following: "; provided further, that not less than \$100,000 shall be expended for a grant to a statewide Alzheimer's disease advocacy and education organization for a public awareness and education campaign as recommended by the Centers for Disease Control and Prevention; provided, further, that \$200,000 shall be expended for Mass in Motion community grants, provided further, that not less than \$100,000 shall be expended for Community Servings for the purposes of providing medically tailored meals to persons battling chronic illnesses and providing workforce training programs to those recovering from addiction; and provided further, that \$100,000 shall be appropriated to the University of Massachusetts Dartmouth to be expended for the operation of the Cranberry Health Research Center"; and in said item by striking out the figures: "3,510,977" and inserting in place thereof the figures: "4,010,977";

In item 4513-1130, in line 13, by inserting after the words "families", the second time appears, the following: "; provided further, that not less than \$75,000 be allocated for the Katie Brown Educational Program for a pilot instructional initiative, the Train the Trainer program, to train educators and increase the number of Southeastern Massachusetts students who acquire invaluable knowledge about the prevention of relationship violence; provided further, that not less than \$20,000 shall be expended to Delamano, Inc. in Lawrence toward community outreach on domestic violence; provided further, that not less than \$100,000 shall be expended for the Women's Center in the city of New Bedford to provide domestic violence and sexual assault prevention, education and counseling programs"; and in said item by striking out the figures: "31,335,559" and inserting in place thereof the figures: "31,530,559";

By adding after item 4513-1130 the following item:

"4513-1131 For a competitive grant program in public schools from grades 5 through 12 that will promote healthy relationships and address teen dating violence; provided, that the department of elementary and secondary education shall develop a 3 year grant program for 10 schools on anti-teen dating violence programming for implementation for the school year beginning

in 2017; provided further, that the grant program shall be for schools in which the majority of students are eligible for free or reduced lunch; and provided further, that at least 1 grantee shall be a school located in a municipality with a population of 25,000 or less.....\$150,000”;

In item 4590-0250 by adding the following: “; provided further, that not less than \$100,000 shall be expended for the Massachusetts Model of Community Coalitions; and provided further, that not less than \$25,000 shall be expended to Methuen High School toward the Students Against Destructive Decisions substance abuse program”; and in said item by striking out the figures: “11,944,396” and inserting in place thereof the figures: “12,069,396”;

In item 4590-0915, in line 7, by inserting after the following: “2B” the following: “; provided further, that Tewksbury hospital shall maintain the same number of beds in fiscal year 2018 as was maintained in fiscal year 2017; provided further, that the Pappas Rehabilitation Hospital for Children shall maintain not less than 120 beds for clients in its inpatient setting to the extent feasible within the appropriation; provided further, that not less than \$150,000 shall be expended for the Pappas Rehabilitation Hospital for Children Summer Program”; and in said item by striking out the figures: “156,920,732” and inserting in place thereof the figures: “157,070,732”;

In item 4590-0925 by striking out the figures: “300,000” and inserting in place thereof the figures: “550,000”;

By striking out item 4590-1507 and inserting the following item:
“4590-1507 For matching grants to the Massachusetts Alliance of Boys & Girls Clubs, Inc., the Alliance of Massachusetts YMCAs, Inc., the YWCA organizations, nonprofit community centers and teen empowerment and youth development programs; provided, that the department of public health shall award not less than \$1,600,000 to the Massachusetts Alliance of Boys & Girls Clubs, Inc. which shall be distributed equally between the alliance’s member organizations; provided further that not less than \$20,000 shall be expended to Youth Development Organization, Inc. in Lawrence; provided further, that not less than \$200,000 shall be expended for the Big Brothers Big Sisters of Massachusetts Bay Mentor 2.0 program; provided further, that not less than \$100,000 shall be expended for the Center for Teen Empowerment, Inc.; and provided further, that the department shall award not less than \$1,300,000 to the Alliance of Massachusetts organizations.....\$3,220,000”.

After debate on the question on adoption of the amendment (the Speaker being in the Chair), the sense of the House was taken by yeas and nays, as required under the provisions of House Rule 33F; and on the roll call (Mr. Wagner of Chicopee being in the Chair) 160 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 50 in Supplement.]

Therefore the consolidated amendments (public health) were adopted.
Mrs. Haddad of Somerset then moved to amend the bill by inserting after section 69 the following section:

Consolidated amendments adopted,—
yea and nay
No. 50.

“SECTION 69B. Notwithstanding any general or special law to the contrary, the department of energy resources shall expend not more than \$3,000,000 from the RGGI Auction Trust Fund established in section 35II of chapter 10 of the General Laws for reimbursements to municipalities in which the property tax receipts from an electric generating station, including payments in lieu of taxes and other compensation specified in an agreement between a municipality and an affected property owner, are reduced due to a reduction in capacity factor, occurring after July 1, 2012 at a dual coal and oil-fired facility, of at least 50 per cent from the average capacity factor of the previous 10 years; provided, however, that the action shall also reduce the commonwealth’s greenhouse gas emissions from the electric generator sector pursuant to the goals established under chapter 21N of the General Laws; provided further, that the reimbursement amount shall be determined by calculating the difference between: (i) the amount of the tax receipts, including payments in lieu of taxes or other compensation, paid by the electric generating station in the current tax year; and (ii) the amount of the tax receipts, including payments in lieu of taxes or other compensation, paid by the electric generating station in the tax year prior to the full or partial decommissioning or other change in operating status of the facility; provided further, that a reimbursement shall not be made if, in a tax year, the aggregate amount paid to a municipality by the owner of an electric generating station including, but not limited to, payments in lieu of taxes and other compensation, exceeds the aggregate amount paid to that municipality by that owner in the year prior to the full or partial decommissioning or other change in operating status of the electric generating station; and provided further, that not later than December 31, 2017, a municipality in which the property tax receipts from an electric generating station are reduced due to a reduction in capacity factor shall submit a report to the senate and house chairs of the joint committee on telecommunications, utilities and energy detailing the need for these reimbursements and the impact on the municipality of receiving or not receiving them. Payments from the RGGI Auction Trust Fund shall be prioritized so that the first payments from the fund shall be made to municipalities under this section; provided, however, that a payment shall not be made to a municipality that has failed to comply, by the date specified, with the last clause of the preceding sentence.”.

The amendment was adopted.

Mrs. Haddad of Somerset being in the Chair,—

Mrs. O’Connell of Taunton and other members of the House then moved to amend the bill by adding the following section:

“SECTION 128. Chapter 6 of the General Laws is hereby amended by inserting after section 178J the following section:—

Section 178J ½. Notwithstanding any general or special law to the contrary, a designated point of contact person from the department of early education and care, a public or private pre-kindergarten school or a child care program or provider licensed by said department may request sex offender registry information, including, but not limited to information pertaining to level 1 sex offenders, from the board or the local police department as follows:

(i) Any designated point of contact person making a written request to the board pursuant to this section shall receive at no cost from the board a report which indicates whether an individual identified by name, date of birth or sufficient personal identifying characteristics is a sex offender with an obligation to register pursuant to this chapter, the offenses for which the offender was convicted or adjudicated and the dates of such convictions or adjudications. Any records of

inquiry shall be kept confidential, except that the records may be disseminated to assist or defend in a criminal prosecution. All reports to point of contact persons making inquiries shall include a warning regarding the criminal penalties for use of sex offender registry information to commit a crime or to engage in illegal discrimination or harassment of an offender and the punishment for threatening to commit a crime under section 4 of chapter 275. The board shall not release information identifying the victim by name, address or relation to the offender.

(ii) Any designated point of contact person making a request through the local police department pursuant to this section shall: (1) appear in person at such police station and present proper identification; and (2) complete and sign a record of inquiry designed by the board which shall include; (i) the name and address of the department, school, program or provider making such request, (ii) the name of the person that is the subject of the inquiry, or personal identifying information sufficient to allow the police to identify the subject of the inquiry and (iii) the reason for, and date and time of the inquiry. If the search of the sex offender registry results in the identification of a sex offender required to register pursuant to this chapter, the police shall disseminate, to the point of contact person making the inquiry, the offenses for which the offender was convicted or adjudicated and the dates of such convictions or adjudications. The police shall not release information identifying the victim by name, address or the victim's relation to the offender.”.

The amendment was adopted.

The Chair (Mrs. Haddad of Somerset) then placed before the House the question on suspension of Rule 1A in order that the House might continue to meet to meet beyond the hour of nine o'clock P.M.

On the question on suspension of Rule 1A, the sense of the House was taken by yeas and nays, as required under the provisions of said rule; and on the roll 127 members voted in the affirmative and 31 in the negative.

[See Yea and Nay No. 51 in Supplement.]

Therefore Rule 1A was suspended.

After remarks Mr. Lyons of Andover and other members of the House moved to amend the bill in section 2 by inserting after item 8000-0600 the following item:

“8000-0601 For the executive office of public safety to establish a drug strike force meant to augment local law enforcement entities so they may receive the proper training, equipment, and personnel required to effectively combat drug trafficking.....\$25,000,000”.

After remarks the amendment was rejected.

Messrs. Lyons of Andover and Lombardo of Billerica then moved to amend the bill in section 2, in item 0321-1510, by striking out the figures: “98,906,090” and inserting in place thereof the figures: “125,844,965”.

After remarks the amendment was rejected.

Mr. Dempsey of Haverhill then moved to amend the bill in section 2

In item 0321-1600 by striking out the figures: “19,500,000” and inserting in place thereof the figures: “20,000,000”;

In item 0321-2000 by adding the following: “; provided, that not less than \$30,000 shall be expended to the Quintana Center Immigration Legal Clinic in the Merrimack Valley”; and in said item by striking out the figures: “1,117,955” and inserting in place thereof the figures: “1,147,955”;

In item 0321-2100 by striking out the figures: “1,487,191” and inserting in place thereof the figures: “1,609,465”;

In item 0321-2205 by striking out the figures “1,849,512” and inserting in

Suspension
of Rule 1A.

Rule 1A
suspended,—
yea and nay
No. 51.

Consolidated
amendments
(public safety
and judiciary).

place thereof the figures: “1,961,200”;

In item 0337-0002 by adding the following: “; provided, that no less than \$143,989 shall be expended on the Hampden County CASA program, no less than \$71,994 shall be expended on the Worcester County CASA program, no less than \$98,730 shall be expended on the Essex County CASA program, no less than \$100,000 shall be expended on the Boston CASA program, no less than \$76,494 shall be expended on the Franklin/Hampshire County CASA program, and no less than \$53,995 shall be expended on the Berkshire County CASA program”; and in said item by striking out the figures: “18,002,260” and inserting in place thereof the figures: “18,547,462”;

In item 0340-0500 by striking out the figures: “9,976,910” and inserting in place thereof the figures: “10,226,910”;

In item 0340-0998 by striking out the figures: “344,926” and inserting in place thereof the figures: “444,926”;

In item 8000-0105 by striking out the figures: “9,814,905” and inserting in place thereof the figure “9,889,905”;

In item 8000-0600 by adding the following: “; provided further, that not less than \$75,000 shall be expended for public safety improvements in Sudbury; provided further, that not less than \$25,000 shall be expended for public safety improvements in Pembroke; provided further, that not less than \$50,000 shall be expended for public safety improvements in Waltham; provided further, that not less than \$50,000 shall be expended for public safety improvements in Watertown; provided, that not less than \$75,000 shall be expended for ShotSpotter technology in Pittsfield; provided further, that not less than \$68,000 shall be expended for Dispute Resolution Services, Inc. in Springfield for community mediation services in Hampden County provided further, that not less than \$25,000 shall be expended for public safety improvements in Dudley; provided further, that not less than \$75,000 shall be expended to police department’s behavioral health unit in Lynn; provided further, that not less than \$30,000 shall be expended for the police department in the town of Eastham to be used in conjunction with the towns of Wellfleet, Truro and Provincetown to address the traffic safety issues on United State highway route 6 from the rotary in the town of Orleans to the town of Provincetown from May 26 to October 9; provided further, that not less than \$129,000 shall be expended for public safety improvements in Needham; provided further, that not less than \$25,000 shall be expended for the replacement of the Richardson Street Broadcast Tower for the town of Uxbridge; provided, that not less than \$50,000 shall be expended for the police and fire departments in Littleton provided further, that not less than \$50,000 shall be expended for public safety improvements in Grafton; provided further, that not less than \$25,000 shall be expended for public safety improvements in Fitchburg; provided further, that not less than \$100,000 shall be expended for public safety improvements in Southborough; provided further, that not less than \$100,000 shall be expended for public safety improvements in Braintree; provided further, that not less than \$150,000 shall be expended for a mobile command center in Dartmouth; and provided further, that not less than \$25,000 shall be expended to the Black Men of Greater Springfield, Inc. to implement the W.E.B DuBois Academy Saturday School, W.E.B DuBois Academy Summer Camping Program, and the unity grants program in Springfield”; and in said item by striking out the figures: “2,533,465” and inserting in place thereof the figures: “3,660,465”;

In item 8100-0111 by striking out the figures: “5,000,000” and inserting in place thereof the figures: “6,000,000”;

In item 8100-0515 by striking out the figures: “1,600,000” and inserting in

place thereof the figures: “2,860,000”;

In item 8100-1001, in line 17, by inserting after the word “abuse” the following: “; provided further, that not less than \$1,030,000 shall be expended for the payroll costs of the state police directed patrols; provided further, that not less than \$30,000 shall be expended for Troop A to conduct mounted, directed patrols throughout Revere Beach, the Lynn Fells and the Middlesex Fells Reservation Park among other identified areas; provided further, that subject to appropriation communities receiving funds for directed patrols in fiscal year 2008 shall receive an equal disbursement of funds in proportion to the current appropriation in fiscal year 2018; provided further, that funds shall be expended for directed patrols at Constitution Beach in East Boston; provided further, that not less than \$95,000 shall be expended for additional patrols for the summer season at Wollaston Beach and Furnace Brook Parkway in Quincy”; and in said item by striking out the figures: “280,832,693” and inserting in place thereof the figures: “282,251,103”;

In item 8200-0200 by adding the following: “; and provided further, that no less than \$50,000 be provided for to the town of Boylston for hosting a municipal police training academy”; and in said item by striking out the figures: “4,787,750” and inserting in place thereof the figures: “4,837,750”;

By striking out item 8324-0000 and inserting in place thereof the following item:

“8324-0000 For the administration of the department of fire services, including the state fire marshal’s office, the hazardous materials emergency response program, the board of fire prevention regulations established in section 4 of chapter 22D of the General Laws, the expenses of the fire safety commission and the Massachusetts firefighting academy, including the Massachusetts fire training council certification program, municipal and non-municipal fire training and expenses of the council; provided, that the fire training program shall use the split days option; provided further, that not less than \$1,200,000 shall be allocated by the department for the Student Awareness of Fire Education program; provided further, that \$100,000 shall be allocated by the department for Critical Incident Stress Management; provided further the Boston Fire Department Training Academy shall also be allocated an additional \$500,000 in addition to any amounts in the item; provided further, that not less than \$50,000 shall be allocated to the On-Site Academy to provide training and treatment programs for correction officers from the department of correction for critical incident stress management; provided further, that the amount allocated for the Norfolk County Regional Fire and Rescue Dispatch Center in item 8324-0000 of section 2 of chapter 182 of the acts of 2008 shall be allocated in fiscal year 2018; provided further, that not less than \$40,000 shall be expended for the fire department in Lynn; provided further, that not less than \$50,000 shall be expended for the fire department hazardous material response team in Quincy; provided further, that not less than \$500,000 shall be expended to the hazardous materials response team in the cities of Cambridge, Everett, and Boston; provided further, that 100 per cent of the amount appropriated in this item for the administration of the department of fire services, the state fire marshal’s office, critical incident stress programs, On-Site Academy, the Massachusetts training academies, the regional dispatch centers, the radio and dispatch center improvements, and the associated fringe benefit costs of personnel paid from this item for these purposes

shall be assessed upon insurance companies writing fire, homeowners' multiple peril or commercial multiple peril policies on property situated in the Commonwealth and paid within 30 days after receipt of notice of such assessment from the commissioner of insurance; provided further, that 100 per cent of the amount appropriated in this item for hazardous material response shall be assessed upon insurance companies writing commercial multiple peril, nonliability portion policies situated in the Commonwealth and commercial auto liability policies as referenced in line 5.1 and line 19.4, respectively, in the most recent annual statement on file with the commissioner of insurance; and provided further, that not more than 10 per cent of the amount designated for the arson prevention program shall be expended for the administrative costs of the program.....\$22,691,576”;

In item 8700-0001, in line 9, by inserting after the word “services” the following: “; provided further, that not less than \$35,000 shall be expended for the Massachusetts Veterans Oral History Project to be conducted by Home of the Brave, Inc., in conjunction with the Massachusetts National Guard Museum and Archives”; and in said item by striking out the figures: “9,956,330” and inserting in place thereof the figures: “9,991,330”;

In item 8900-0001, in line 7, by inserting after the word “department” the following: “; provided further, that the department shall expend not less than \$2,200,000 for municipalities hosting department of correction facilities; provided further, that of that \$2,200,000 no municipality hosting a department of correction facility shall receive more than \$800,000; provided further, that of that \$2,200,000, no municipality hosting a department of correction facility shall receive less than the amount allocated in item 8900-0001 of section 2 of chapter 68 of the acts of 2011; and provided further, that not less than \$90,000 shall be expended for the Dismas House in Worcester”; and in said item by striking out the figures: “615,539,903” and inserting in place thereof the figures: “617,829,903”;

In item 8900-1100, in line 6, by inserting after the word “correction” the following: “; provided, that no less than \$125,000 shall be expended for the automotive repair technician training and job placement program administered by the department of correction”; and in said item by striking out the figures: “250,000” and inserting in place thereof the figures: “375,000”;

In item 8910-0108 by adding the following: “; provided, that not less than \$100,000 shall be expended for the Franklin County Opioid Education and Awareness Task Force; and provided further, that not less than \$100,000 shall be expended for a pilot program at the Franklin Sheriff’s Office”; and in said item by striking out the figures: “15,414,487” and inserting in place thereof the figures: “15,614,487”;

By inserting, after section 3 the following section:

“SECTION 3A. Section 178Q of chapter 6 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by adding the following paragraph:—

The sex offender registry board shall, within 30 days of a sex offender’s failure of the requirement under this section to pay said sex offender registry fee or any portion thereof, report to the department of revenue and the registry of motor vehicles the offender’s name, other necessary identifying information as determined by the commissioner of the department of revenue or the registry of motor vehicles, and the unpaid amount of any sex offender registration fee owed. The department of revenue shall intercept payment of such unpaid fee from tax refunds due to

persons and provide the amount intercepted to the sex offender registry board in accordance with the provisions of chapter 62D. The registry of motor vehicles shall not issue or renew a driver's license, or motor vehicle registration for any vehicle subsequently purchased, to any offender reported with an unpaid sex offender registration fee until it receives subsequent notification from the sex offender registry board that the reported offender's fee has been paid.”.

After remarks on the question on adoption the amendments, the sense of the House was taken by yeas and nays, as required under the provisions of House Rule 33F; and on the roll call 158 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 52 in Supplement.]

[Messrs. Galvin of Canton and Petrolati of Ludlow answered “Present” in response to their names.]

Therefore the consolidated amendments (public safety and judiciary) were adopted.

Mr. Dempsey of Haverhill and other members of the House then moved to amend the bill in section 2

In item 0640-0300 by striking out the figures: “10,075,699” and inserting in the place thereof the figures: “12,075,699”;

In item 7002-0010 by adding the following: “; and provided further, that the executive office of housing and economic development, in cooperation with the commonwealth corporation, shall award not less than \$300,000 to the New England Center for Arts and Technology, Inc.”; and in said item by striking out the figures: “2,066,244” and inserting in the place thereof the figures: “2,366,244”;

In item 7002-0012, in line 6, by inserting after the word “organizations” the following: “; provided further, that not less than \$50,000 be expended for the development and implementation of the Open Door's On Your Mark program; provided further, that not less than \$25,000 be allocated to the Methuen/Lawrence Coalition; provided further, that not less than \$100,000 be expended for The People's Academy Inc.; provided further, that not less than \$125,000 shall be expended for a grant to the Hyde Square Task Force; provided further, that not less than \$125,000 shall be expended for a grant to the Union of Minority Neighborhoods; provided further that no less than \$150,000 shall be expended for a grant program to St. Mary's Center in Dorchester for the operation of workforce development and educational programming for women and girls”; and in said item by striking out the figures: “10,000,000” and inserting in the place thereof the figures: “10,725,000”;

By inserting after item 7002-0017 the following three items:

- “7002-0020 For a precision manufacturing pilot program administered by the executive office of housing and economic development that provides training to unemployed and underemployed individuals, including veterans.....\$1,450,000
- 7002-0032 For a transfer to the John Adams Innovation Institute Fund established in section 6A of chapter 40J of the General Laws.....\$3,000,000
- 7002-0035 For a reserve to support the commonwealth's defense sector initiatives; provided, that the executive office may allocate funds to the Massachusetts Development Finance Agency for this purpose.....\$125,000”;

Consolidated amendments adopted,—yea and nay No. 52.

Consolidated amendments (labor and economic development).

By inserting after item 7002-0012 the following two items:

- “7002-1075 For the Workforce Competitiveness Trust Fund established in section 2WWW of chapter 29 of the General Laws.....\$500,000
- 7002-1080 For the Learn to Earn initiative to be designed and administered jointly by an interagency workgroup including the executive office of labor and workforce development, executive office of education, executive office of housing and economic development, executive office of health and human services, Massachusetts department of transportation and executive office of public safety and security; provided, that not less than \$750,000 shall be transferred to the Workforce Competitiveness Trust Fund established in section 2WWW of chapter 29 of the General Laws for the purposes of supporting a competitive grant program designed to create talent pipelines for businesses and provide career pathways toward high demand occupations as defined by the executive office of housing and economic development and executive office of labor and workforce development via cohort-based case management and support services for underemployed or unemployed individuals; provided further, that competitive grants shall only be awarded to partnerships of organizations that work with the target population; and provided further, that funding may also be made available to address barriers to obtaining and sustaining employment for job seekers who are underemployed or unemployed and participating in said grant program.....\$1,000,000”;

In item 7002-1508, in line 37, by inserting after the word “ventures” the following: “; provided further, that not less than \$50,000 shall be expended for the operation of the Greater Gardner Business Incubation Network’s business incubator in the City of Gardner”; and said in item by striking out the figures: “1,500,000” and inserting in the place thereof the figures: “1,550,000”;

In item 7003-0803 by striking out the figures: “3,760,051” and inserting in place thereof the figures: “3,960,051”;

In item 7003-1206 by adding the following: “; provided, that not less than \$400,000 shall be expended for the Urban League of Springfield, Inc.; provided further, that not less than \$250,000 shall be expended to the Department of Planning and Development in the city of Lowell for the creation of an economic development grant program; provided further, that not less than \$250,000 shall be expended towards workforce efforts at the Pine Street Inn in Boston; provided further, that \$125,000 shall be expended for the Moving Ahead Program at the St. Francis House in Boston; provided further, that not less than \$200,000 shall be expended to Career Resources Corporation in Haverhill toward employment services for veterans with disabilities; provided further, that not less than \$400,000 be expended for the Urban League of Eastern Massachusetts”; and in said item by striking out the figures: “1,400,000” and inserting in the place thereof the figures: “3,025,000”;

In item 7006-0010 by striking out the figures: “18,112,384” and inserting in the place thereof the figures: “18,362,384”;

By inserting after item 7007-0800 the following item:

- “7007-0801 For microlending grants of up to \$100,000 which shall be issued to established community development financial institutions and

community advantage lenders making direct microenterprise and small business loans to borrowers on a regional basis, and providing technical assistance to applicants and borrowers in order to foster business establishment and success; provided, that the funds shall be used to support the eligible organizations' lending and technical assistance activities;\$200,000";

In item 7007-0952, in line 14, by inserting after the year: "1996" the following: "; provided further, that not less than \$100,000 be expended for the Lupa Zoo and Game Farm, Inc. in Ludlow"; and in said item by striking out the figures: "4,500,000" and inserting in the place thereof the figures: "4,600,000";

In item 7008-0900, in line 4, by inserting after the word "development" the following: "; provided further, that not less than \$25,000 shall be expended for a signage upgrades in town of Stoneham; provided further that not less than \$200,000 shall be expended to support 11 Massachusetts Visitor Information Centers; provided further, that not less than \$100,000 shall be expended for the commemoration of the town of Swansea's 350th Anniversary Celebration; provided further, that \$50,000 shall be expended for Old Sturbridge Village in the Town of Sturbridge; provided further, that not less than \$50,000 shall be expended for LuminArtz for public art displays; provided further, that not less than \$75,000 shall be expended as a grant to the Boston Landmarks Orchestra, Inc.; provided further, that not less than \$100,000 shall be expended for the repair and maintenance of the Crosby Central Administration Building in the City of Brockton; provided further, that not less than \$50,000 shall be expended for Plymouth 400, Inc.; provided further, that not less than \$50,000 shall be expended for the Wilbraham Nature and Cultural Council for tourism marketing and advertising purposes; provided further, that not less than \$75,000 shall be expended for the operation and regional youth media lab for the New England Public Radio in the City of Springfield; provided further, that not less than \$50,000 be expended by the City of Peabody for the study of operating a high rail trolley service on the MBTA track running from Peabody Square to the Salem Depot; provided further, that not less than \$25,000 be expended for the 100th anniversary of the city of Peabody; provided further, that not less than \$25,000 be expended for the Peabody Fire and Police Memorial; provided further, that no less than \$75,000 shall be expended for the Waltham Tourism Council; provided further, that not less than \$50,000 shall be expended for the West Medford Community Center; provided further, that not less than \$25,000 shall be expended for repairs to the Cape Cod Museum of Art in the town of Dennis; provided further, that not less than \$25,000 shall be expended for repairs to the Cape Playhouse in the town of Dennis; provided further, that not less than \$25,000 be expended for the Michael Blatus Memorial Gazebo in the town of Dracut; provided further, that not less than \$100,000 be expended for the implementation of a management information system at the water division in the city of Lynn; provided further, that not less than \$175,000 shall be expended for handicap accessibility to municipally owned buildings in West Springfield; provided further, that no less than \$90,000 shall be expended for the Russian Community Association of Massachusetts, Inc.; provided further that no less than \$5,000 shall be allocated to the Franklin Historical Commission for the purchase of equipment to preserve historical artifacts; provided further, that not less than \$25,000 be expended on the Mansfield Norton Bike Trail in the town of Mansfield; provided further, that not less than \$200,000 shall be expended as grants for the Bay State Games; provided further, that no less than \$50,000 shall be expended for the Johnny Appleseed Trail Association; provided

further, that not less than \$50,000 shall be expended for the North Quabbin Chamber of Commerce, Inc.; provided further, that not less than \$100,000 shall be expended for the Western Massachusetts Sports Commission; provided further, that not less than \$40,000 shall be expended for the purposes of the operation of the Riverside Theatre Works and \$10,000 for the Menino Arts Center; provided further that not less than \$25,000 shall be expended for workforce efforts for proven-risk young adults at UTEC, Inc. in the city of Lowell; provided further, that not less than \$25,000 be expended for the restoration of the Quinnebaug Valley Rail Trail in the towns of Dudley and Webster; provided further, that not less than \$75,000 be expended for Springfield Performing Arts Development Corporation; provided further, that not less than \$100,000 be expended on infrastructure grants to the city of Beverly; provided further, that not less than \$50,000 be expended for the operation of the Eureka program in the Holyoke, Lynn, and Worcester chapters of Girls Inc.; provided further, that not less than \$50,000 shall be expended for the GAR Hall located in the city of Beverly; provided further, that not less than \$250,000 shall be expended for the New England Farm Workers' Council, Inc; provided further, that not less than \$25,000 shall be expended for the historic restoration of the Wright-Holden house located on Wetherbee Street in Acton; provided further, that not less than \$25,000 be expended for economic development in the region of Barnstable, Dukes, and Nantucket Counties; provided further, that not less than \$25,000 shall be expended for safety improvements and restoration of the Westfield Historic Industries Preservation Project operated by Westfield Museum, Inc.; provided further, that not less than \$25,000 shall be expended for economic development projects in the town of East Brookfield; provided further, that \$25,000 shall be expended for safety improvements and restoration of the Westfield Athenaeum; provided further, that not less than \$250,000 shall be expended for funding the West Roxbury Main Streets Parkway Community Pavilion construction project on Centre Street in West Roxbury; provided further, that not less than \$25,000 shall be expended for the purpose of the Wareham Veterans council to host the Vietnam Veterans 'Moving Wall' Memorial in the town of Wareham; provided further, that not less than \$30,000 be expended for a Complete Streets project in North Framingham; provided further, that not less than \$150,000 shall be expended for a clean energy economic development grant program in Springfield; provided further, that not less than \$70,000 be expended for upgrades to the Framingham History Center; provided further, that \$50,000 shall be expended for a feasibility study for the reconfiguration and expansion of the parking lots at the commuter rail station in the town of Sharon; provided further, that not less than \$50,000 shall be expended for the restoration of the State Theatre in Stoughton; provided further, that not less than \$50,000 shall be expended for AHA! Art, History & Architecture in the city of Fall River; provided further, that not less than \$25,000 be expended for the emergency relocation of the Millville town hall; provided further, that not less than \$50,000 shall be expended for the dedication and maintenance of the Senator Thomas P. Kennedy Main Branch Library in the city of Brockton; provided further that not less than \$20,000 shall be expended as a grant for free community programming in Lynn to Arts After Hours; provided further, that not less than \$50,000 shall be expended to the Germantown Neighborhood Center in the city of Quincy; provided further, that not less than \$100,000 shall be expended to Quincy Asian Resources, Inc. in the city of Quincy; provided further, that not less than \$50,000 be expended for improvements to the Fort Devens Military Museum in the town of Devens; provided further, that not less than \$15,000 be expended for the Billerica Friends of Music; provided further, that not

less than \$20,000 be expended for the Billerica Memorial High School Athletic Association; provided further, that not less than \$100,000 shall be expended for a matching grant program to the Enrichment Center located in Dorchester; provided further, that not less than \$50,000 shall be expended for the site evaluation, design development, and construction of a turf field at Oliver Ames High School in Easton; provided further, that not less than \$75,000 shall be expended to the office of economic and community development in the city of Methuen for the revitalization of the downtown area; provided further, that not less than \$30,000 be expended for the Cogswell School Building in Bradford; provided further, that not less than \$5,000 be expended for We The People programs by the Massachusetts Center for Civic Engagement; provided further, that no less than \$25,000 shall be expended for a matching grant program to the Lena Park Community Center located in Dorchester; provided further that not less than \$500,000 shall be expended for Outside the Box in the city of Boston; provided further, that no less than \$50,000 shall be expended for a matching grant program to No Books No Ball located in Roxbury; provided further that not less than \$50,000 shall be expended for youth programs at Dennison Memorial Community Center in New Bedford; provided further, that not less than \$87,707 be expended to the National Lancers; provided further that not less than \$50,000 shall be expended for the Frederick Douglass House in the city of New Bedford; provided further, that not less than \$100,000 be expended on the 495/MetroWest Corridor Partnership, Inc.; provided further that not less than \$50,000 shall be expended for AHA! Art, History & Architecture in the city of New Bedford; provided further, that not less than \$25,000 shall be expended for the New Bedford Festival Theatre; provided further, that not less than \$100,000 shall be expended for production at Zeiterion Performing Arts Theatre in New Bedford; provided further, that \$100,000 shall be expended for the repair of the stone wall of the West Wyoming Municipal and Veterans' Cemetery in the City of Melrose; provided further, that not less than \$100,000 shall be expended for main street economic development by the non-profit organization Wakefield Main Streets, Inc.; provided further, that not less than \$100,000 be expended on storm water improvements for Beaver Brook at Trapelo Road in the town of Belmont; provided further, that \$250,000 shall be expended to the Presentation School Foundation Community Center in the Brighton section of the city of Boston for public safety upgrades"; and in said item by striking out the figures: "299,361" and inserting in the place thereof the figures: "5,522,068";

By inserting after section 52B (inserted by amendment) the following two sections:

"SECTION 52C. Section 2 of chapter 151 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting, in lines 30-31, inclusive, after the words 'religious institutions', the following words:— , work by seasonal camp counselors and counselor trainees.

SECTION 52D. Section 7 of said chapter 151 is hereby amended by striking out, in lines 22-24, inclusive, the words 'learners and apprentices, except for seasonal camp counselors and counselor trainees, and except for ushers', and inserting in place thereof the following words:— learners, apprentices, and ushers.""; and

By inserting after section 69B (inserted by amendment) the following section:

"SECTION 69C. Notwithstanding any general or special law to the contrary, prior to transferring the consolidated net surplus in the budgetary funds to the Commonwealth Stabilization Fund under section 5C of chapter 29 of the General Laws, the comptroller shall dispose of the consolidated net surplus in the budgetary

funds for fiscal year 2017 as follows: (i) transfer 1/2 of the surplus, not to exceed \$10,000,000, to the Massachusetts Community Preservation Trust Fund established in section 9 of chapter 44B of the General Laws; and (ii) transfer 1/2 of the surplus, not to exceed \$10,000,000, to the Massachusetts Life Sciences Investment Fund established in section 6 of chapter 23I of the General Laws.”.

After remarks on the question on adoption the amendments, the sense of the House was taken by yeas and nays, as required under the provisions of House Rule 33F; and on the roll call 160 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 53 in Supplement.]

Therefore the consolidated amendments (labor and economic development) were adopted.

After remarks on the question on passing the bill, as amended, to be engrossed, Mr. Dempsey of Haverhill moved to amend the bill in section 2

In item 0521-0000 by adding the following words: “, prior appropriations continued”;

In item 1410-0012 by inserting after the words “oral history project” (inserted by amendment) the words: “at the Morse Institute Library in Natick”; by inserting after the words “substance abuse and treatment” (inserted by amendment) the following: “; provided further, that not less than \$100,000 shall be expended to Soldier On for the purpose of providing services to homeless veterans in Berkshire, Franklin, Hampden, and Hampshire County; provided further, that not less than \$100,000 shall be expended for Vietnam Veterans of America organization in Massachusetts; provided further, that the department shall make a payment equal to the amount appropriated for each veterans’ outreach center funded by this item in fiscal year 2017”; and in said item by striking out the figures: “4,106,641” (as amended) and inserting in place thereof the figures: “4,306,641”;

In item 1599-0026, in line 26, by inserting after the year: “2017” the following: “; provided further, that not less than the amount appropriated in this item in section 2 of chapter 165 of the acts of 2014 for the city of Haverhill shall be expended again in fiscal year 2018; provided further, that not less than \$300,000 shall be expended on a one time grant to the Haverhill public school district”; and in said item by striking out the figures: “7,300,000” and inserting in place thereof the figures: “8,100,000”;

In item 1790-0300 by adding the following: “; and provided further, that any unspent balance at the close of fiscal year 2018 shall remain in the account and may be expended for the item in fiscal year 2019”;

In item 2300-0100 (inserted by amendment) by adding the following: “; provided further, that not less than \$10,000 shall be expended for the management and cleanup of invasive pond vegetation at floating bridge pond in the city of Lynn, and provided further, that not less than \$1,000,000 shall be expended for a boat ramp and boarding pier project in a town in Suffolk county”; and in said item by striking out the figures: “1,033,879” (inserted by amendment) and inserting in place thereof the figures: “2,043,879”;

In item 2310-0200 by striking out the following: “provided, that not less than \$25,000 shall be expended for the Franklin, Medway, and Bellingham Army Corps of Engineers flood plain and wildlife habitat” (inserted by amendment); and in said item by striking out the figures: “15,131,053” (inserted by amendment) and inserting in place thereof the figures: “15,106,053”;

In item 2800-0101 by striking out the figures: “932,526” and inserting in place thereof the figures: “982,526”;

In item 2810-0100 by inserting after the words “park renovations in Brockton”

Consolidated
amendments
adopted,—
yea and nay
No. 53.

(inserted by amendment) the following: “; to renovate McKinley Playground; provided further, that not less than \$25,000 shall be expended for the Franklin, Medway, and Bellingham Army Corps of Engineers flood plain and wildlife habitat”; and by striking out the following: “; provided further, that not less than \$200,000 shall be expended for open space development at Callahan State Park in Framingham” (inserted by amendment); and in said item by striking out the figures: “37,088,728” (as amended) and inserting in place thereof the figures: “36,913,728”;

In item 3000-7050 by striking out the figures: “100,00” (inserted by amendment) and inserting in place thereof the figures: “100,000”;

By striking out item 4000-0500 and inserting in place thereof the following item:

“4000-0500 For the executive office of health and human services to expend for health care services provided to medical assistance recipients through the executive office’s managed care delivery systems, including a behavioral health contractor, the Primary Care Clinician Plan, Primary Care Accountable Care Organizations, MassHealth managed care organizations, and Accountable Care Partnership Plans and for MassHealth benefits provided to children, adolescents and adults under clauses (a) to (d), inclusive, and clause (h) of subsection (2) of section 9A of chapter 118E of the General Laws and section 16C of said chapter 118E; provided, that no funds shall be expended from this item for children and adolescents under clause (c) of said subsection (2) of said section 9A of said chapter 118E whose family incomes, as determined by the executive office, exceed 150 per cent of the federal poverty level; provided further, that funds may be expended for infrastructure and capacity building grants to promote delivery system reform, achieve federal financial participation and serve populations in need more efficiently and effectively; provided further, that of said funds, funds may be expended for community health centers; provided further, that the executive office shall maximize federal reimbursements for state expenditures made to these providers; provided further, that expenditures from this item shall be made only for the purposes expressly stated in this item; and provided further, that funds may be expended from this item for health care services provided to recipients in prior fiscal years.....\$5,553,251,863”;

In item 4590-1507 by inserting after the word “Lawrence” (inserted by amendment) the following: “; provided further, that not less than \$20,000 shall be expended for The Attleboro Area Social Responsibility Consortium for a pilot transportation program”; and in said item by striking out the figures: “3,220,000” (as amended) and inserting in place thereof the figures: “3,240,000”;

In item 7008-0900 by inserting after the words “town of Dracut” (inserted by amendment) the following: “; provided further, that not less than \$150,000 shall be expended for programs supporting and promoting cultural heritage diversity, and education in the city of Boston that were in item 7003-0702 of chapter 165 of the acts of 2014; provided further, that not less than the amount appropriated in item 7007-0800 in section 2 in chapter 139 of the acts of 2012 shall be expended for the Winthrop and Revere chambers of commerce; provided further, that not less than the amount appropriated in this item in section 2 of chapter 165 of the acts of 2014

shall be expended for a child safety program in the town of Winthrop; provided further, that not less than the amount appropriated in this item in section 2 of chapter 165 of the acts of 2014 shall be expended for a child safety program in the town of Revere; provided further, that not less than \$35,000 shall be expended for the Haverhill Inner City Boxing Club, Inc.; provided further, that not less than \$100,000 shall be expended for public service announcements to be broadcasted during From the Top, Inc's radio programming; provided further, that not less than \$35,000 shall be expended for Haverhill Downtown Boxing, Inc.; provided further that not less than \$10,000 shall be expended for the Sunderland 300 anniversary; provided further, that no less than \$50,000 shall be expended for a one-time grant to the KatyDID foundation, Inc.; provided further, that not less than \$50,000 shall be expended for the Merrimack Valley Chamber of Commerce; provided further, that not less than \$25,000 shall be expended for the Greater Haverhill Chamber of Commerce; provided further, that not less than \$35,000 shall be expended for the St. James food pantry in the city of Haverhill; provided further, that not less than \$25,000 shall be expended for the Power of Self Education (POSE) Inc. in the city of Haverhill; provided further, that not less than \$50,000 shall be expended to the American Legion Post 4 located in Haverhill; provided further, that not less than \$35,000 shall be expended for WHAV radio; provided further, that not less than \$10,000 shall be expended for a one time grant for the Haverhill fire department; provided further, that not less than \$100,000 shall be expended for YWCA Haverhill"; and in said item by striking out the figures: "5,522,068" and inserting in place thereof the figures: "6,732,068";

In item 7010-0033, in line 2, by striking out the figures: "100,000" and inserting in place thereof the figures: "300,000"; and by striking out the figures: "1,549,389" and inserting in place thereof the figures: "1,749,389";

By striking out item 7066-9600 and inserting in place thereof the following item:

"7066-9600 For a discretionary grant program to provide funds to school districts and public institutions of higher education partnering together to offer inclusive concurrent enrollment programs for students with disabilities, as defined in section 1 of chapter 71B of the General Laws, between the ages of 18 and 22, inclusive; provided, that the grant program shall be limited to students who are considered to have severe disabilities and, in the case of students age 18 or 19, shall be limited to students with severe disabilities who have been unable to achieve the competency determination necessary to pass the Massachusetts Comprehensive Assessment System exam; provided further, that said students with disabilities shall be offered enrollment in credit and noncredit courses that include nondisabled students, including enrollment in noncredit and credit bearing courses in audit status for students who may not meet course prerequisites and requirements, and that the partnering school districts shall provide supports, services and accommodations necessary to facilitate a student's enrollment; provided further, that the department of higher education shall develop guidelines to ensure that the grant program promotes civic engagement and mentoring of faculty in public institutions of higher education and supports college success, work success, participation in student life of the college community and provision of a free

appropriate public education in the least restrictive environment; provided further, that the department of higher education shall develop strategies and procedures to help sustain and replicate the existing inclusive concurrent enrollment programs initiated through this grant program including, but not limited to: (a) provision of funds to retain employment specialists; (b) assist students in meeting integrated competitive employment and other transition-related goals; (c) adoption of procedures and funding mechanisms to ensure that new partnerships of public institutions of higher education and school districts providing inclusive concurrent enrollment programs fully utilize the models and expertise developed in existing partnerships; and (d) conducting evaluation and research to further identify student outcomes and best practices; provided further, that the department of higher education shall develop a mechanism to encourage existing and new partnerships to expand the capacity to respond to individual parents that request an opportunity for their children to participate in the inclusive concurrent enrollment initiative; provided further, that tuition for courses shall be waived by the state institutions of higher education for students enrolled through this grant program; provided further, that the department of higher education shall maintain the position of inclusive concurrent enrollment coordinator who will be responsible for administering the grant program, coordinating the advisory committee, developing new partnerships, assisting existing partnerships in creating self-sustaining models and overseeing the development of videos and informational materials as well as evaluation and research through the institute for community inclusion to assist new colleges and school districts; provided further, that the department of higher education shall select grant recipients not later than July 18, 2016; provided further, that the department of higher education, in consultation with the department of elementary and secondary education, shall report on student outcomes to the house and senate committees on ways and means, the joint committee on education and the joint committee on higher education on the discretionary grant program not later than January 31, 2017; and provided further, that for the purpose of this item, appropriated funds may be expended for programs or activities during the summer months.....\$1,416, 235”;

In item 8000-0122, in line 6, by striking out the words “department agency” and inserting in place thereof the words “the office”;

In item 9110-9002 by striking out the following: “; provided further, that no less than \$150,000 shall be expended on the Arlington senior center; provided further, that not less than \$25,000 shall be expended on the West Brookfield senior center” (inserted by amendment) and inserting in place thereof the following: “; provided further, that no less than \$150,000 shall be expended on the Arlington senior center; provided further, that not less than \$10,000 shall be expended for the Pioneer Valley Project Inc. for outreach and education to the senior citizens in the

North End, South End and Forest Park”; and in said item by striking out the figures: “14,555,000” and inserting in place thereof the figures: “14,565,000”;

In section 2D, in item 1100-1702, in line 3, by striking out the figures: “250,000” and inserting in place thereof the figures: “300,000”;

In section 2E, in item 1595-6368, by striking out the word: “Bay” (inserted by amendment) and inserting in place thereof the word: “Brook”;

In item 1595-6368 by striking out the words “for traffic improvements in Newton” (inserted by amendment) and inserting in place thereof the words “to upgrade the Newton Square rotary, in the city of Worcester”;

By inserting after section 21 the following section:

“SECTION 21A. Section 5G of said chapter 29 of the General Laws is hereby repealed.;

In section 42, in lines 431 to 436, inclusive, by striking out the paragraph contained in those lines and inserting in place thereof the following paragraph:

“Notwithstanding section 74 of chapter 6; sections 16 through 16Y, inclusive, of chapter 6A; chapter 12C; chapter 19A; chapter 46; chapter 94C; chapters 111 through 111O, inclusive; chapter 112; chapter 118E; chapter 119; chapter 120; chapter 123; and chapter 123B of the General Laws, the center for health information analysis and any office or agency within the executive branch shall provide, upon request from the commissioner, information necessary to conduct such examinations, provided that the provision of such information is otherwise consistent with federal and state law. The commissioner may request from any office or agency within the judicial branch, and any office or agency may provide, information necessary to conduct examinations, provided that the provision of such information is otherwise consistent with federal and state law.”; and in line 445 by striking out the word “biannually” and inserting in place thereof, the word “biennially”;

In section 49, in lines 568, 569 and 570 by striking out the text contained in those lines and inserting in place thereof the following sentence: “Total full-time equivalent employees’, the total hours worked by all employees in a quarter divided by an amount of hours to be determined by the commissioner.”; and in line 595 by inserting after the following “chapter 32A.”, the following sentence: “The commissioner may, in consultation with the participating agencies, develop criteria for a hardship waiver for employers from liability under this chapter and may grant said waiver when determined appropriate by the commissioner.”;

By inserting after section 71A (inserted by amendment) the following section:

“SECTION 71B. The department of transportation shall conduct a feasibility study on a new exit between exits 2 and 3 of the Massachusetts Turnpike. The department shall submit its findings to the joint committee on transportation and to the clerks of the house of representatives and senate on or before than January 1, 2018.”;

By inserting after section 74B (inserted by amendment) the following section:

“SECTION 74C. There shall be established a special commission to study and report on childhood vision and eye health in the commonwealth. The commission shall study children’s vision care and quality, including vision screening, eye examinations and appropriate preventative measures, and develop recommendations for ensuring screenings for all children. The commission shall review the commonwealth’s success at preventative measures, including screening, and treating all of its children for vision impairments and eye disease and identify populations that do not receive screening, eye examinations, or necessary related treatments.

The commission shall consist of the commissioner of the department of public health, or a designee, who shall serve as chair; the commissioner of the department of elementary and secondary education, or a designee; the commissioner of early education and care, or a designee; the house and senate chairs of the joint committee on public health, or their designees; two members of the Children's Vision Massachusetts Coalition; a member of the Massachusetts School Nurses Organization; a member of the Massachusetts Society of Optometrists; a member of the Massachusetts Society of Eye Physicians and Surgeons; and a member of the Massachusetts Chapter of the American Academy of Pediatrics.

The commission shall submit a report, along with any recommendations for legislation, to the clerks of the house of representatives and senate, the house and senate chairs of the joint committee on health care financing, and the house and senate chairs of the joint committee on public health on or before February 1, 2018.”; and

By inserting after section 76 the following three sections:

“SECTION 76A. Section 28 shall take effect on January 1, 2017.

SECTION 76B. Chapter 118J of the General Laws as inserted by section 49 of this act is hereby repealed.

SECTION 76C. Section 76B of this act shall take effect on January 1, 2020.”.

The amendments were adopted.

The Speaker being in the Chair,—

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Dempsey of Haverhill; and on the roll call (Mr. Donato of Medford being in the Chair) 159 members voted in the affirmative and 1 in the negative.

[See Yea and Nay No. 54 in Supplement.]

Therefore the bill (House, No. 3601, published as amended) was passed to be engrossed. Sent to the Senate for concurrence.

Bill passed to
be engrossed,—
yea and nay
No. 54.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M.

Next
sitting.

At sixteen minutes after ten o'clock P.M. (Tuesday, April 25), on motion of Mr. Barrows of Mansfield (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.